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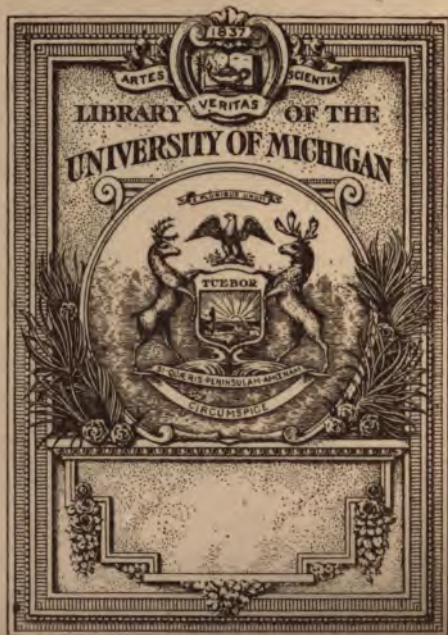
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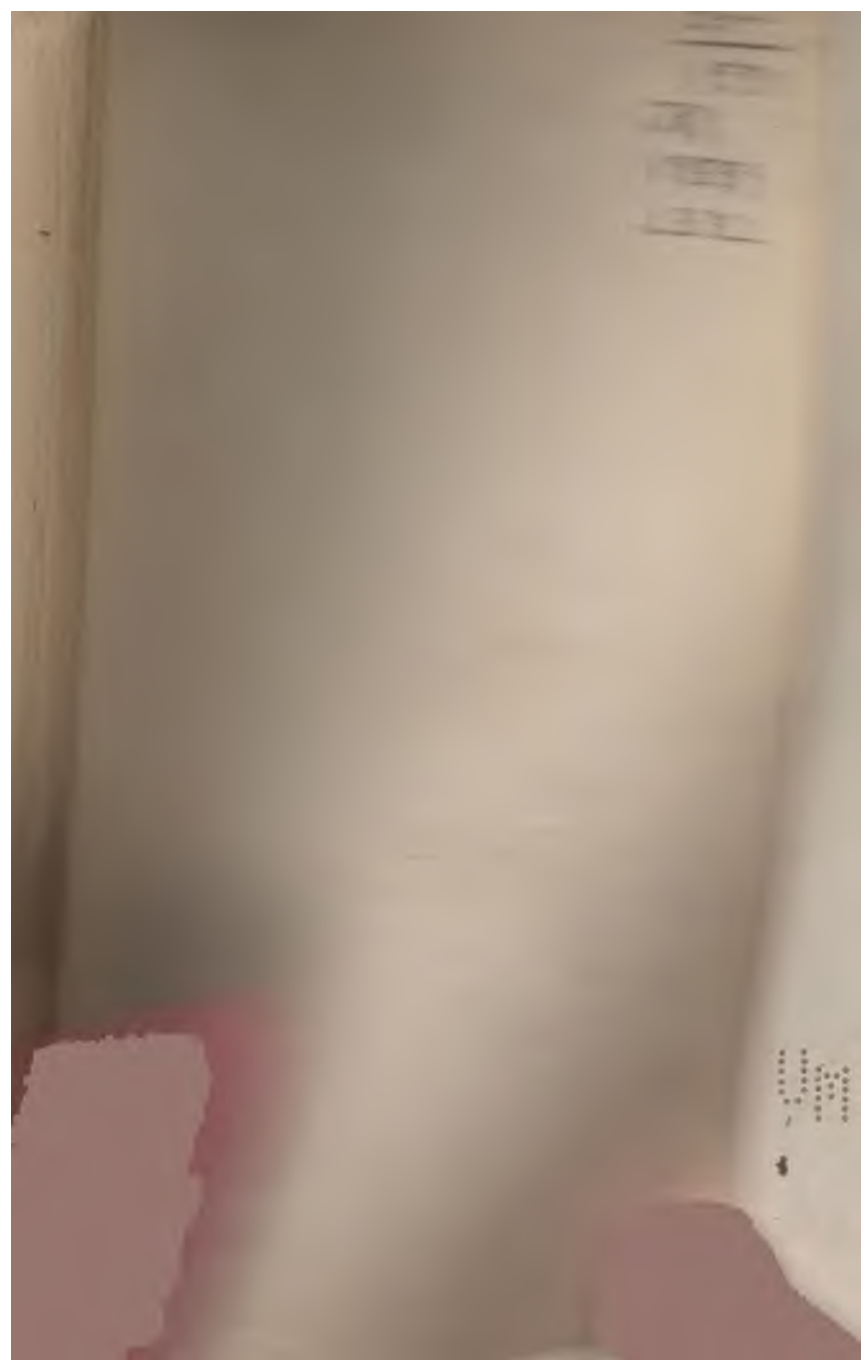
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# OUR AMERICA

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JOHN · A · LAPP









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**THE ELEMENTS OF CIVICS**



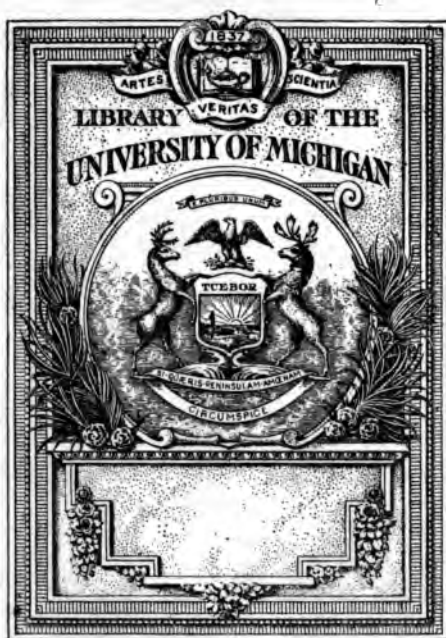




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# OUR AMERICA

THE ELEMENTS OF CIVICS

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*Illustrated*

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## INTRODUCTION

There is no subject of so great importance to American citizenship as the study of the way we govern our affairs. In a country where every citizen takes a part in controlling public affairs it must be apparent that every citizen should have a clear idea of the problems that confront him in city, state and nation. How can a citizen act intelligently on the public problems of the day, such as roads, health, education, conservation and control of business, unless he knows at least the elementary facts about them?

Not only should the citizens be informed on the problems which confront them, but they need also to be familiar with the plan and methods by which we govern ourselves. The citizen needs to know the actual government of his country in sufficient detail to enable him to vote with the best effect. We need to know what the officers whom we elect are called upon to do if we are to choose men fitted for the offices. Above all we need to realize that the government in all its forms is our government, subject to our control and to any changes which we choose to make in it. It is a most unfortunate fact that so many people look on government as being something imposed from without instead of being created and run by the people for their own benefit. Many people declare themselves to be "against the government" as though it

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## INTRODUCTION

were a virtue to oppose their own instrument maintained for themselves by themselves.

We have a somewhat complicated system of government exercised through the nation, states, counties, townships, cities, towns and villages. Each has its part to perform and all together these various governments do the work which provides for our common needs and protection. The citizen acts as a member of each—the village, town, city, township, county, state and nation—in selecting officials and often in deciding public questions. How can he act intelligently in each unless he knows in a general way what the powers and functions of each of these units of government are?

That we have not had such knowledge accounts for much of the failure of the citizens to realize the full benefit that should come to them from this government which they have jointly created and which they now maintain for the common benefit of all. How often has it happened that candidates for city office have based their campaign on matters over which as city officials they would have no control? How often have state officials been chosen not with regard to the work which confronted the state but with reference to problems which are national? How often have we seen local officials chosen with reference to their membership in a national party instead of their fitness to do the particular work which it will be their function to do if they are elected? Until the citizens understand the essential facts of government they will be subject to just such political buncombe as is common in political campaigns. It ought to

## INTRODUCTION

be elemental that every official should be chosen with reference to the work he is to do. When the people understand better what the work of each official is, they will choose more intelligently, and better government will result.

This book is written to set forth the elementary facts of government in this country. It begins by a statement of the way people live in modern society; it discusses the needs and wants of people for food, clothing, shelter, property, education, enjoyment and liberty; it shows the necessity for common protection against harm; it shows how out of these needs and wants comes the necessity for government.

The benefit to be derived from such a statement is principally that we come to understand clearly that government is not something imposed on us but is rather our own instrument to provide common needs and protection subject always to our management and control.

Having established the basis of government the book takes up concrete problems and shows how common needs for roads and streets, education, health protection, conservation and business control are met by the governments of nation, state and locality. When we discuss roads, health protection or other problems, the part which each government plays in the matter is made clear. The citizen is able then to go to the proper place to get things done or to lay the blame when things are not done right. To be able to fix responsibility should be one of the fruits of the study of government in this way.

When the processes of government are discussed the

## INTRODUCTION

same method is followed. Law making is treated as a unit. We need laws and we make them through Congress, legislatures and city councils or commissions. Enforcing laws through executive officials and interpreting them through courts are treated in the same way. Again it is possible for the citizen to go to the right place to get work done if he understands generally what parts of law making, law enforcing and law interpreting are performed by the public officials of cities, states and nation.

A conscious attempt has been made to clarify the processes of government so as to avoid the confusion which comes when nation, state and local governments are analyzed and studied separately. The people are more interested in what governments do than in the forms of the various governments and yet some study of form is essential to every citizen.

Government is not a matter to be left to the study of the few. It is essentially a universal study, for upon the civic activity of every citizen may turn the national fate. Public education must take this into account and so organize its work that every youth will know his civic duties, and knowing them, will have the power to perform them.

The study of this subject is not, however, a matter for the schools alone. It must be universal and continuous. There is no place to stop. The world moves. New problems arise and the citizenship must keep itself progressively informed of the progress of the race in its efforts to realize the fullest justice and fair dealing.

J. A. L.



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**OUR AMERICA**  
**THE ELEMENTS OF CIVICS**



## OUR AMERICA

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# THE ELEMENTS OF CIVICS

## CHAPTER I

### A VIEW OF THE WORK AND NEEDS OF PEOPLE

All able-bodied men and women are engaged in work of some sort. There are farmers, manufacturers, grocers, lawyers, doctors, laborers, home-makers. There are thousands of occupations in which people engage. Each person does his part and the means of living are thus supplied to all people. The division of labor, as it is called, whereby each does a part of the whole, has resulted in the production for common use of many things which formerly even kings could not obtain.

**Occupations.**—But the first question which one asks is: Why work at all? Why do men work day after day at hard tasks? The answer is simple. It is that men have needs and wants which they seek to satisfy. By their labor they produce goods which they may use or exchange for other goods which they want. The farmer produces crops to furnish his foodstuffs. What he does not use is exchanged for other materials. The manufacturer takes the



begin, however, to feel the pinch of high prices and are deprived of many of their ordinary articles of food.

Thus, unless the machinery of production, preparation and distribution of food works without interruption, the results are quickly felt by every person—at once and keenly in the cities and without much delay among the rural population. So great is our dependence upon one another.

**Clothing.**—Our next prime need is for clothing, and again we may say that we draw upon the whole earth for materials. If it takes the labor of a thousand persons to supply a breakfast it takes many times that number to supply the materials for clothing and to fashion materials into articles for wear.

Let us take an inventory of the principal materials used in making our clothing. Cotton, which forms so large a part, may have been raised in the South; spun and woven into cloth in New England or in Europe; made into garments by the tailor, dress-maker or housewife or by hundreds of workers in factories and shops. Wool is raised on the ranches of the West; likewise, perhaps, spun and woven in distant places; and made into articles for wear in many parts of the world.

The same dependence upon many hands in many countries is found in the case of material such as silk, linen, leather, straw and plumes. In some cases, hundreds of persons are employed upon a single article. There are, for example, more than two hun-



Manufacturing Clothing



begin, however, to feel the pinch of high prices and are deprived of many of their ordinary articles of food.

Thus, unless the machinery of production, preparation and distribution of food works without interruption, the results are quickly felt by every person—at once and keenly in the cities and without much delay among the rural population. So great is our dependence upon one another.

**Clothing.**—Our next prime need is for clothing, and again we may say that we draw upon the whole earth for materials. If it takes the labor of a thousand persons to supply a breakfast it takes many times that number to supply the materials for clothing and to fashion materials into articles for wear.

Let us take an inventory of the principal materials used in making our clothing. Cotton, which forms so large a part, may have been raised in the South; spun and woven into cloth in New England or in Europe; made into garments by the tailor, dress-maker or housewife or by hundreds of workers in factories and shops. Wool is raised on the ranches of the West; likewise, perhaps, spun and woven in distant places; and made into articles for wear in many parts of the world.

The same dependence upon many hands in many countries is found in the case of material such as silk, linen, leather, straw and plumes. In some cases, hundreds of persons are employed upon a single article. There are, for example, more than two hun-



Manufacturing Clothing





Manufacturing Food



dred and sixty separate operations in making a shoe in a shoe factory.

It is true that men might make their own articles of wear. Primitive people and our early settlers used mostly home-made articles. The last generation remembers well the spinning-wheel and the home-knit garments. Even home-made shoes and hats were common. But to-day nearly every one depends upon exchanging the goods he produces for the necessary articles of dress. So, in the case of dress as in the case of food, we are dependent upon one another. The consequences of failure to get the goods to the person who uses them are, however, not so serious in the case of dress as in the case of food.

**Shelter.**—The third great need to supply is that of shelter and here again the statement may be made that we depend upon many people and many countries to enable us to live comfortably. Building materials are of many varieties and their supply depends upon the work of thousands of men in the forests, mills, mines and factories.

The pioneer was independent in this respect. He built his hut from the trees of the forest and plastered the holes with mud. Scarcely anything had to be obtained from exchanging goods with others. Yet the pioneer generally exchanged labor in order to have aid in putting the heavy timbers together.

The pioneer was independent in the matter of fuel. He cut his own logs and lighted the fire by striking the flint. We are to-day entirely dependent upon

**Education.**—Out of the many problems of life comes the need for knowledge. People must know how to live under new conditions. They must know how to adapt themselves to new ways of living. They must be able to protect their bodies from accident and disease. They must learn to do some work whereby they may earn a living. They must have knowledge to prepare them for the duties of a home. They must be guided in their conduct toward their fellow men because a man's success depends upon playing fairly with his fellows.

Knowledge opens up new outlooks and creates the desire for more knowledge. So we find that the more people are educated the greater will be the demand for education. Education is therefore supplied all through life by means of kindergartens, elementary schools, high schools, colleges, trade schools, professional schools, extension and correspondence work, and free libraries.

**Enjoyment and Leisure.**—The division of labor about which we have been speaking has made it possible for men to supply their wants and still have some leisure time to enjoy the fruits of their work. Leisure has resulted in the creation of new wants because men seek pleasures and some one thereby is called upon to do the work required to furnish enjoyments. When men have time to be interested in paintings and sculpture, there is a demand for the work of artists and sculptors.

Leisure for reading creates a demand for books

and periodicals. The poet and the author, and writers of all kinds, thus find a chance to sell their writings. Love of music gives a livelihood to the musician and creates a demand for musical instruments. The desire for amusement creates real demands. Baseball and other outdoor sports, gymnasiums and bowling alleys, the theaters, moving-picture shows and the circus, travel and excursions are only a few of the many means of satisfying the wants for amusements.

**Mutual Dependence.**—Thus, to supply the needs and wants of each person in these days requires the services of many thousands of people. Each must depend upon others and all are directly interested to see that the processes by which their wants are supplied are working smoothly.

When we look about us and view the work of people we must be impressed with the extent and variety of relations which we all have with our fellow men. Our lives, health, daily labor and enjoyments are dependent upon the work of others. It is true that a person could exist all alone, but such a person could not enjoy the benefits of civilized life. A man might raise his own food or hunt or fish for it with crude implements of his own manufacture; he might make his own clothes, build his own hut and actually live. But such a condition is almost solely a matter of fiction in these times. Nowhere do any large number of people live alone. Even the famous story of Robinson Crusoe does not show complete



independence. Much that that famous person did, he was enabled to do because he had the work of others in the tools and materials from the stranded ship.

**Working Together.**—Out of the close relations which we have with our fellow men, there arises the necessity for people to work together. In this way, they do the things which all want done for the common benefit. Likewise, they lay down rules to protect the rights of each. Men would do many things together even if they were not compelled for their own benefit to do so. We see proof of this statement in the growth of lodges, clubs, fraternities and other organizations. People like to associate with their fellows: they subject themselves voluntarily to the rules of clubs, lodges and fraternities and abide by them. The spirit of fellowship is the basis of much of the pleasure of life. But people do not surrender voluntarily for mere fellowship's sake any rights which they can not take back. A man may withdraw from a club. His life, property and liberty are not affected. In the more serious matters, however, life, property and liberty are at stake, and government is organized to promote and protect the interests of all. Government is not a voluntary organization, but brings all within its scope under its control.

### QUESTIONS FOR INVESTIGATION

Make a list of the principal articles of food used in your community and find the source of supply.

Do the same for the principal articles of clothing.

Where are the main products of your community sent for market?

Trace any given articles about which you know from producer to consumer showing transportation and selling.

Where does your community get its supply of milk? Meat? Vegetables? Fuel?

What would happen in your community if the supply of food from outside were cut off for ten days?

Have you had any experience when there was a shortage of important products? How was the condition met?

What different occupations are followed by the men and women whom you know?

Show how each occupation is necessary to the general welfare.

Make a list of food necessities and also a list of luxuries in common use.

For what necessities does your community depend upon outside supply?

What necessities are produced in your community?

If the supply of outside products should be cut off, what articles in common use would you have to get along without?

What is the meaning of the term liberty?

Give all the reasons you can why the people must depend upon one another and work together.

What is the meaning of the term "division of labor"?

What are the advantages of division of labor?

What objections can you raise to the system of division of labor?

## QUESTIONS FOR DEBATE

Resolved that the work of the farmer is more important than that of the merchant. (Also compare importance of other occupations.)

Resolved that people in earlier times with fewer wants,

begin, however, to feel the pinch of high prices and are deprived of many of their ordinary articles of food.

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Manufacturing Food

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the highways, canals, railroads and steamships make a complete system of travel and transport for the whole world and every person in the world is dependent upon them.

**Cost of Transportation.**—Suppose that the roads of this country were so bad that it would cost twenty-five cents more a bushel to get wheat to the railroad; and suppose that toll roads and bridges took ten cents a bushel; and that the railroads or canals took twice as much for carrying as at present; it is clear that the person who bought wheat would have to pay considerably more for it. So, also, the product which the wheat seller buys would cost more. In the interest of all, it is necessary, therefore, to make the means of transportation the very best in order to keep the cost as low as possible.

**The People's Interest.**—The people keep down the cost of transportation in the case of highways by making them free for all and by expending large sums to make better roads and to keep them repaired. The states own the canals and boatmen run their own boats upon them usually paying a small toll. The United States built the Panama Canal for the purpose of making it easier to trade with other countries.

The people also helped to build the railroads. They gave large sums of money and millions of acres of land to companies to build railroads. When railroads charged too much for their services, the people made them reduce rates; when they failed to give

good service, the people made them put on more trains and run them better. This was in line with the idea that the welfare of the people depended upon making it possible to exchange goods at the least cost and with the least delay and loss. Perhaps the same result will happen with the railroads as with toll roads. They may become unprofitable to private owners and the people may buy them and convert them into public roads.

Steamships have been built for private profit, but again if it should happen that an unfair charge were made whereby trade would be crippled, the people would probably try first to regulate the price charged, and if that failed they would finally buy or build ships and go into the business.

**The Post-Office.**—The people have in many other ways arranged to make exchange easier. The post-office was established and run at cost, and often below, to help the exchange of goods. It is a simple fact that without the post-office, a heavy burden would be put upon trade, for a man would have no means of knowing where to sell his goods except by personal trips which would involve heavy expense and long delays. Too important to trust to private hands, the people established the post-office, built post roads, established city and rural delivery and provided for the sending of money by mail.

**Telegraph and Telephone.**—With the invention of the telegraph and telephone and their wide use in the service of business, the people have taken an active



hand in making them aid in exchange. They, also, are becoming too important to business to leave in private hands and already there are strong indications that they will be made a part of the post-office system.

**Money.**—There could be little trading if it were not for money. If a person who had a bushel of wheat wished to buy a pair of shoes he would have to find the party who had shoes and wanted wheat. Trading would necessarily be limited under such conditions. To overcome that difficulty, the people build mints and coin money. Money serves as a medium of exchange so that the person who has wheat can sell it and take the money to the man with shoes and buy what he wants. Thus exchange is made easier.

**Drainage and Irrigation.**—There are many things of common benefit which men do together which could not be done single-handed.

Drainage is one of these operations for common benefit. It may be surprising to learn that in 1915 there were seventy-five million acres of land in the United States which were a useless swamp and that there were one hundred fifty million acres which did not produce more than twenty per cent. of what they should produce because they were not properly drained.

Now in most cases, it would be useless for one farm owner to try to drain his swamp land. If he did, he would cause trouble by running the water off on

his neighbor's land. It is necessary that the people of the area to be drained cooperate and make one ditch which will drain the land of all. So the persons affected build and maintain the necessary ditches, drains and works.

So, also, with irrigation. It would be out of the question for one owner to construct the necessary works to bring water long distances and provide irrigation canals. All, therefore, work together and build one system for the service of all.

**City Needs.**—Where large numbers of persons live close together as they do in cities, extra needs arise for which the whole community must provide. The farmer drills his own well and therefore has his own water supply. That is impossible in large cities because of the danger to health. The cities therefore provide systems of water supply, sometimes bringing water hundreds of miles.

**Disposal of Waste.**—The problem of disposing of waste becomes important in a city of any considerable size. It is necessary to provide a sewer system and this can not be done by a few persons. Nothing short of the whole city can successfully undertake such works. It is too important to be left to private action, so the city builds the sewerage system and provides for the disposal of garbage.

**Street Railways.**—Another problem which confronts the people of a city is that of providing street railways. If the inhabitants are not all to be huddled together in a few down-town squares, means must

be furnished to carry them from their homes to their work and back. It is just as much the duty of the city to provide such means as it is to provide streets and alleys. In each case, the welfare of all depends upon it.

In the case of street railways as in the case of railroads, private enterprise has found it profitable to undertake the work. It is of too great importance, however, to leave the matter entirely to the will of a few people who seek profit. Rates should be reasonable and service good and if private parties can not give good service at a fair rate, the public should maintain the system as they do roads and streets.

**Education.**—We come now to a group of services which the people perform for themselves and which are not concerned with the necessities of life. When man has provided for his actual living, he turns his attention to the means of education and enjoyment. The first thing he builds for the use of all is the school. In fact, the school has often preceded many of the necessities. We are now past the early stages in all parts of this country, and the schools, like the highways, are everywhere. It takes an army of six hundred thousand teachers to conduct the schools, while probably an equal number help to manage school affairs. Everywhere in this country the elementary and high schools are provided at public expense. Vocational schools are quite commonly provided. Colleges and universities are built and run by the people

and it may be said that education from the kindergarten to the university is provided by the common effort of all for the benefit of each.

**Libraries.**—Second in importance to the schools come libraries. These are provided by the people to give information, in order to continue the process of education begun in the schools, and to develop among the people a taste for better reading.

**Other Means of Education.**—In many cities there are also provided art galleries where the artistic education of the people is broadened. Cities and communities also build monuments and works of art upon the streets, in the parks, and in and about public buildings.

**Recreation.**—Parks, playgrounds, gymnasiums, bathing beaches, skating ponds and other play places are generally provided by progressive cities. Even moving-picture shows and theaters are in some places owned and managed by the people for their common enjoyment.

**Charities.**—The recognition of our duty toward our fellows brought about by our dependence on one another, our natural instincts of neighborliness and the broadening influence of education, have caused us to provide for the care of the unfortunate. Cities and states provide hospitals for the care of the sick and injured; asylums for the insane; homes for the aged and the poor; orphan homes and homes for old soldiers and their dependent children. These

institutions are the helping hand for those who for any reason need special assistance in supplying the necessities of life.

The above statements do not mention all of the things in which the people engage to supply needs and enjoyments, but they serve to show the importance of the subject with which we are dealing. To provide all of these things requires vast sums of money and great numbers of men and women. The doing of these things forms a part of the process we call government.

### QUESTIONS FOR INVESTIGATION

Are there any toll roads or bridges in your community? Ask the older people of the community if they remember any toll roads or bridges.

Give all of the reasons you can for free roads, streets, bridges and other means of transportation.

What is the relation between bad roads and the cost of living?

Make a list of all of the things which the people in your community own for common use.

Show how money aids exchange. Would it be possible to have money made by private individuals or companies?

Point out the similarity between the telegraph and telephone and the post-office as a means of exchange.

What are the principal advantages of having the post-office entirely in the hands of the people?

What reasons can you give why the people should or should not own the telegraphs and telephones?

Do the farm lands of your community need draining? Has any drainage work been done? Visit any such work and explain how it is done.



Which is the more important common need, roads or schools?

What products are hauled over the highways to market from your community? What is the average size of loads which it is possible to haul to market? If the roads were improved to what extent could the size of the loads be increased? How much would each farmer save in time if such improvements were made?

Do the arguments for ownership of roads and streets apply also to street railways and railroads?

To what extent would trade be carried on if people had no money but had to depend upon barter of goods?

### QUESTIONS FOR DEBATE

Resolved that all the public means of transportation should be owned by the people.

Resolved that the people who use the highways should pay a tax for the privilege.

### WHERE TO LOOK FOR FURTHER INFORMATION

Burch and Nearing, *Elements of Economics*.

Chap. XXIV "Transportation."

Chap. XXVIII "Instruments of Exchange."

Chap. XXX "Foreign Trade."

Later chapters discuss various phases of this chapter.

### WHERE TO WRITE FOR FURTHER INFORMATION

Later chapters give specific information about sources from which to obtain information on the subjects discussed.

## CHAPTER III

### PROVIDING FOR COMMON PROTECTION

In early times the principal object for which people worked together was the protection of life. Often this protection was against savages or wild beasts, but the most important need in modern times has been against hostile tribes or nations.

**Protection of Life.**—The people in the early times lived in villages surrounded by walls or stockades and went out to work their fields. They sometimes built forts to which they could go in times of danger and all joined forces against any common enemy. We have passed beyond some of the dangers which beset our forefathers. Scarcely anywhere in this country is there need of stockaded towns or of fortified houses to protect the people from savages or wild beasts or from tribes or bandits. Except for some of the remote regions of the West, the country has become a nation of peaceful inhabitants.

**Protection Against Foreign Countries.**—There are no lawless bands to be feared, but there is the danger from other nations, who may seek to attack our country, and in doing so, deprive our people of life, liberty and property. They may refuse to give us our just rights in the trade with other countries and



compel us, in self-respect, to maintain them. We know that wars are likely to occur and that every nation must protect itself. When one nation is armed and ready to fight, every other nation must fear it and be prepared. Just as the tribes had to be ready to fight other tribes when they were attacked, each nation, however peaceful its people may be, must be prepared against any powerful nation which may become its enemy.

**Army and Navy.**—The people, therefore, need an army and a navy and since these things are for the common defense, they should be supported by all the people. One thing should always be kept in mind, namely, that in this country an army and navy are for defense only—never to make war upon others. Our army and navy should be large enough to defend the country against the strongest enemy that may attack it. Because of the fortunate position of the United States we need not maintain so large a force as the nations of Europe, which have hostile countries at their very doors.

There are times also when, even in this peaceful country, serious disorders take place causing loss of life and property. Mobs of men excited by some event may seek to wreak vengeance, or, to attain a certain object, may interfere with the process of business, and cause the whole community to suffer loss. They may even go further and attempt to break up the nation and form a separate one as in the Civil War from 1861 to 1865. It is the duty of all of the

people to aid in maintaining safety and permanent peace by having an army prepared to prevent any such disorders.

**Police.**—The army can be used for protection only in matters of great importance. It can not be used to catch a burglar or a horse thief or to prevent ordinary crimes.

For protection against such common dangers as these the people organize police and detective forces in cities to prevent crime and catch criminals. Outside the cities they provide sheriffs, constables and deputies for the same purpose. The states often maintain detective forces and state police to ferret out and prevent crime. The people of the nation, acting as a whole, have marshals and their deputies to enforce the laws of the nation. They have also a detective bureau, known as the Secret Service, to prevent crime and to bring criminals to justice.

**Common Dangers.**—We have thus far in this chapter spoken of the protection of the people against other nations and against violence and crime. Let us now consider those regulations which protect the people from the dangers which arise from the close relations they have with their fellow men.

We have seen how closely men work together and how they are dependent upon one another for the things upon which to live. In the regular course of events people have crowded together in cities and towns. Thousands may live in a single city block. The streets swarm with people and vehicles. Under

such conditions dangers of disease and accident arise and the people acting together try to lessen these dangers by regulations. They do this because unhealthy or crippled people are a loss to all, and every disease and accident that can be prevented should be.

**Preventing Disease.**—Let us see what are some of these regulations. One of the most important is the prevention of the spread of disease. This is done by means of quarantine and disinfection. We are all familiar with these processes. Almost everywhere, in country and city alike, contagious diseases are quarantined and the patients are kept in their houses. In case of dangerous diseases, a strict quarantine is kept up against all persons in the place. After the disease has passed, a complete fumigation follows and the disease is thus stamped out. Because of the dangers of spreading disease in schools, many places require vaccination against smallpox. A great many schools keep doctors and nurses to discover and prevent the spread of diseases among school children.

**Sanitation and Health.**—A second important regulation is directed against unhealthy conditions which affect others. Unhealthy conditions are generally prohibited. A man can not leave decaying material or filth, or permit unsanitary conditions on his own premises, if it affects others. We recognize that people ought not to be allowed to live in filth and disease even when their doing so does not affect others, so strict regulations are made to prevent the

spread of disease. These take many forms. The food and milk supply is guarded; sanitary plumbing is required; overcrowding of people is prevented; sanitary conditions under which to work are required and proper ventilation in factories is compelled; sanitary disposal of waste is required and also sanitary care of foodstuffs; spitting on the sidewalks or in public places is prohibited and regulations to prevent the use of the common drinking cup and to require sanitary bedding in hotels are made. These examples will serve to show the variety of things which the people do to protect themselves in matters of health.

We shall take up this subject of public health more fully later, but it should be remarked here that millions of lives have been saved by protective health work. Without public health work only a small part of the people would grow up to maturity.

**Health in City and Country.**—More health work is done in cities than in the country and as a result the cities as a whole are becoming nearly as healthy as the country although by all odds the country ought to be the healthier. Some cities are actually healthier than the rural districts. The country districts need to be aroused on this subject.

**Accidents on Highways.**—Protection from accidents increases in importance with the growth of cities and the extended use of motor vehicles. In quiet country townships a few years ago there was scarcely any need for regulation to prevent acci-



dents on the highways. Custom fixed the rule of the road so that every driver turned to the right when meeting a vehicle or turned out on the left when overtaking and passing another vehicle. Speed was not a factor. There were no limits fixed, but of course reckless driving was prohibited. About the only regulation necessary dealt with traction engines which often frightened horses and caused damages. To-day, with the use of the automobile, the case is different and many regulations are needed to prevent accidents. Laws therefore limit speed, fix a code of rules, generally require a competent driver, and otherwise protect the public from danger.

**Accidents on the Streets.**—The illustration above indicates what is taking place everywhere and especially in the cities. There the regulation of traffic in such a way as to cause it to move fast without danger of accident, has always been a big problem. With the coming of the automobile and the increase of traffic on narrow streets, the problem has vastly increased.

The police are called upon to handle this problem and they do it by regulations fitted to the particular place. Corner policemen signal the vehicles to move first on one street across the corner and then on the other; lines are drawn to guide drivers; safety zones are established by lines or ropes to protect people getting on and off street-cars; heavy traffic is prohibited on some streets; and on others

traffic is permitted to go only one way; speeding is prohibited; and automobiles are prohibited from passing a standing street-car on the side where passengers are getting on or off. Traffic policemen are stationed, not to arrest people, but to help them in places where traffic is confusing. On some crowded corners in large cities as many as four policemen are on guard.

Although not yet entirely satisfactory the safety regulations are saving thousands from painful accidents or death. The problem grows more complicated with increased population, and will always be more and more difficult due to the increased amount of traffic.

**Street Lighting.**—Another work which is important in the prevention of accidents in cities is the provision for street lighting. Lighting is also an important factor in the prevention and detection of crime and thus serves a double purpose in the all important task of protecting the lives and property of the people. Lighthouses at dangerous points on the coast serve a similar purpose in preventing accidents to steamships, thereby promoting the safety of commerce and of the people engaged in it.

**Fire Protection.**—Protection from fire forms a good illustration of the way that people work together in a common cause. In the country districts where the danger is not great there is no organized fire department. All people turn out to help a neigh-



Exhibit of Fraudulent Weights and Measures





Underwood & Underwood

A Modern Battleship

bor fight a fire, but there is no organization and no special apparatus. In the villages where there is greater danger of the spread of a fire some efforts are commonly made to provide for apparatus and water supply, leaving the work, as in the country, to volunteers. In larger places, however, the risk to property and life is so great that the towns and cities maintain trained fire departments and efficient fire-fighting apparatus, at the public expense. The danger to all becomes so great that all join for the common benefit.

**Accidents in Factories.**—In the factories and workshops where millions of the people labor, protection against common dangers is being enforced, for, amid the complex machinery of modern factories, a man can not, by his own efforts, protect himself. Many thousands are killed every year in the factories of the United States and the injured number hundreds of thousands. The number of men killed and injured each year makes the losses in some terrible battles seem insignificant in comparison.

To promote the safety of workers, laws are enacted requiring such matters as safe construction of machinery, guards on all dangerous parts such as saws and gears, and shorter hours for laborers which lessen accidents caused by fatigue. Health of workers is cared for also by requirements for ventilation, proper lighting, blowers and dust removers, and sanitary surroundings. Practises dangerous to health are not permitted and everything is being

done by law to save the workers from unnecessary harm. At the same time, through education, workers are learning how to protect their health.

**Safety Devices on Trains.**—For the safety of the public as well as the workers, many requirements for safety are fixed for the operation of trains, street-cars and other conveyances. Automatic couplers which the law compelled railroads to put on their cars have saved thousands of lives. The air-brake which also has been required makes the handling of trains much safer than in the old days of the hand-brake. Block signals have helped wonderfully to prevent collisions. Long hours for the men responsible for the running of the trains have been prohibited because the danger is too great to the public when men, who are tired out, are still compelled to continue their work. Thus the hours of railroad engineers have been limited to sixteen, and of the telegraphers in train service to nine hours.

**Protection Against Fraud.**—The protection of the people against fraud is another important phase of the matter we are discussing. There used to be an old maxim, "Let the buyer beware" which every one was supposed to follow. The buyer had to look out for himself under that maxim. In less complex society, that rule worked fairly well, but to-day it would mean the oppression of the poor, ignorant or careless, by the crafty or strong. A person can buy a bushel of wheat and easily see that he gets a square deal, but the same person can not know that he



is getting a square deal when he buys prepared foods, such as canned beef or vegetables. So many cheats have been imposed on the people from fraudulent goods that the demand has come to require pure food and honest labeling. Likewise, the people demand pure drugs and similarly the cry is coming for pure fabrics because of the cheating in the quality of rubber, silk, woolen, cotton, etc.

**Honest Weights and Measures.**—Honest weights and measures have also come to be insisted upon. Some people keep weighing scales at home and prevent fraud on themselves, but the majority do not. States and cities are therefore giving attention to the subject to see that dealers give honest weights and measures. Such regulations are a help to honest dealers because they do not have to compete with those who undersell them by cheating on weights and measures.

**Banking.**—Another phase of business, which is so close to the people as to need special control to protect them from fraud, is that of banking. Banking is a means by which the money of the people is gathered together in the form of deposits in the banks and used for the business of the community. A depositor wants safety for his funds and he wants to be able to get his money when he needs it. The banks hold themselves responsible for the funds deposited.

Every one is concerned that the banks be run honestly. The temptation to tricksters to engage in the

business is so great that the strictest kind of regulations are needed to prevent fraud and to protect honest bankers. All banks are strictly controlled by the state or national government and very few banking losses now occur. With closer care even the losses which now sometimes occur will be prevented.

**Insurance.**—Insurance is another phase of business which is closely regulated, in order to protect the innocent person who is insured. This business, like banking, offers a great chance for tricksters unless it is closely regulated. When a person takes out insurance of any kind, he wants to be sure that he will be paid if losses occur. In the case of life insurance, the payment may be many years later and the people must see that the business shall be conducted so that the policies will be paid when due.

Ordinary individuals who take insurance are not capable of understanding so complicated a matter as insurance. They must rely on the honesty of the business. The business would not be possible at all unless people had confidence in the future as well as the present management. The people therefore make strict regulations to insure the safety of the business and to prevent frauds.

**Blue Sky Companies.**—The promotion of fake companies for the purpose of cheating people is another kind of fraud worked on the public. Such concerns are called "blue sky" companies. They sell stocks and bonds in fake concerns and lands which often exist only in the "blue sky." Stocks in mining com-

panies have been for years a favorite fraud. Stories of fabulous profits in mines have caused many unwary persons to invest their dollars. The promoter gets the money and the purchaser gets a finely printed stock certificate which proves worthless.

Purchasers should, of course, be cautious. Every one should look to the character of the men who are promoting a company as well as to the prospects of the business before he invests his money. We recognize, however, that many will be imposed upon by clever swindlers and so efforts are made by the people to prevent such frauds. In many states every company must be examined as to its soundness before it is permitted to sell its stock. The post-office department is constantly preventing frauds by refusing the use of the mails to any concern which they find to be fraudulent. In many ways, the people are thus protected. But more active efforts are needed because hundreds of millions are still lost through fraudulent work.

**Conclusion.**—What has been said in this chapter concerning protection of the people attempts merely to outline the main ways in which the power of all is combined to aid each. There are many other ways which could be maintained. A catalogue might readily be made of ways in which the people of any given place protect themselves. The needs vary from place to place, but everywhere the idea is the same, that all that can be done should be done to see that everybody is protected and gets a square deal.



## QUESTIONS FOR INVESTIGATION

Mention the principal thing which a person would have to do to protect himself if he had to depend entirely upon himself to protect his life, liberty and property.

What does your community do to protect people on the highways and streets? Get copies of the laws or rules relating to these subjects.

What do the people of your community and of your state do to protect the health of all? Are there any regulations about the drinking cup? Common towel? Spitting on sidewalks? Protection of food supply? Protection of milk supply? Are these strictly enforced? Get copies of laws or rules relating to these subjects.

What protection is given against fire?

What is done to require honest and correct weights and measures in your community and state?

Make inquiry of railroad men and make a list of the principal safety devices which protect the workers and the travelers.

Make inquiry of workers in some factory to find out what safety devices are used to protect workers.

In what way do the weather reports, made by the United States Weather Bureau, help to protect people and property?

How large should the army and navy be to protect our interests?

Why is it that laws are needed to protect the buyer of foods and clothing? Would it be fair to let the buyer look out for himself?

What is the meaning of the term "blue sky companies"? Why should they be prohibited?

Give reasons for the regulation of banking? Insurance?

If you were robbed to whom would you report the matter if you were in a city at the time? To whom would you report if you were in the country?



## QUESTIONS FOR DEBATE

Resolved that all persons engaged in making or selling articles of food should pass a health examination at frequent intervals.

Resolved that every person engaged in running trains or street-cars should pass a physical examination.

Resolved that vegetables should be sold by weight instead of by measure.

WHERE TO LOOK FOR FURTHER  
INFORMATION

Burch and Nearing, *Elements of Economics*.

Chap. XII "The Risks of Labor."

Howe, *Modern City and Some of Its Problems*.

Chap. XVII "Police, Fire and Health Protection."

Haskin, *American Government*.

Chap. IV "The Army."

Chap. V "The Navy."

Chap. X "The Department of Agriculture."

Chap. XI "The Weather Bureau."

Further sources of information are found in later chapters.

WHERE TO WRITE FOR FURTHER  
INFORMATION

Later chapters give specific references from which to obtain information on the subjects discussed.

## CHAPTER IV

### THE NATURE OF GOVERNMENT

Thus far we have been taking a general view of the way men work and live in society. We have seen how, by the division of labor, men produce and exchange goods, thereby satisfying their needs and wants. We have seen how the people build and provide many things for common use. We have seen, also, the necessity for making rules and regulations which protect each against dangers to life, liberty, and property.

**The Basis of Government.**—The means by which these things are accomplished are called government. Not being able by themselves to do all of the things which they want done, the people set up a body of men actually to do the work for them, subject of course to their approval.

Government grows out of the necessities of everyday life. In its simplest elements, it is easy to understand for it is a part of our daily lives. We often forget its importance because we are familiar with its simple workings. We could not get along without government to protect us and to provide for our common needs. If all governments were abolished tomorrow, the people would, without a moment's delay,

organize such form of government as their needs would require.

There is a wrong idea of government in the minds of many people because of its origin. When kings and nobles managed affairs and people had to obey what was ordered, government was naturally considered an oppressive thing. It was forced upon them and was not usually for their benefit. It was a means by which the rulers got money and property for their own purposes. But democracy has made the government belong to the people. They own it, operate it and can do what they wish with it. They can modify it or even abolish it and reestablish it as they please. When people criticize the government, they criticize themselves. Government is no longer an outside power to oppress them but their own instrument for common welfare.

**The Three Acts of Government.**—Logically and according to the practise of hundreds of years, government consists of three main acts.

Determining what shall be done.

Doing that which is determined shall be done.

Deciding disputed points which arise.

The first act is legislative; the second, executive; and the third, judicial.

**Representation.**—If it were possible for all of the people to come together, there would be no need to separate these three acts. The people would meet to make the laws; they would meet again to enforce their laws and to decide disputed points. But, of

course, we know that it is impossible for all of the people to leave their work to do all these things. In the New England town, the people meet and do many things, particularly in deciding what shall be done; but nowhere do the people as a whole meet to do very much of their common work.

By means of the ballot all of the people in many states and cities decide some matters. Under the plan called the initiative, the people in a number of states and cities actually make a few laws themselves; and through the referendum they decide whether certain laws passed by the law-making body shall go into effect. They make, however, by these means only a very small percentage of all the laws needed. Except in small communities and in such matters as road repair, the people as a whole do not execute laws; and they never do any part of the work which we call judicial.

**The Legislative Act.**—Since the people can not meet to do their common work by themselves, they must have a body of men selected to do it for them.

In the first place there must be some means provided to determine what work shall be done or what rules or regulations shall be passed. The people must act through some agency in deciding, for instance, the way in which roads shall be built. They must act through some agency in deciding what rules and regulations shall govern the use of the roads. They must, also, act through some agency in deciding what regulations shall be made to keep men



working in harmony and prevent them from interfering with one another's rights. The people select a body of men whom they call representatives. These representatives determine what the people shall undertake to do. This is the legislative department of the government. It is merely the machinery which the people provide to determine their will as to what shall be done.

**The Executive Act.**—Suppose that the people of a community should decide to build some work for common use and should decide how it shall be done. The next step is actually to do the work. Some one must be given the task of building. The people might all work together in building it, but even in that case some one must have charge.

Suppose further that a community has made rules for individuals to follow. Some men must be designated to see that the rules laid down are obeyed. A community can say, "We will have a road," but the mere saying does not build it. A community may declare that such and such a thing shall not be allowed, but the mere declaration does not prevent it.

The representatives of the people therefore, who decide what is to be done, also provide for other representatives to do the work. Usually the persons who carry out a plan are not the ones who make it. One body determines what shall be done and another body carries out the work. This second body of representatives who actually do the work of the community is called the executive department—

the body that executes or carries out what the legislative body determines to do.

**The Judicial Act.**—When a thing is put into operation, difficulties arise. We shall assume that a community has decided to build a road to connect with other roads. Probably it would have to be built through some one's property. It would be unfair to take one man's property for the use of all, unless each contributed alike. The person whose property is taken is entitled to payment. But supposing there is a dispute over the amount. The man has a right to fair treatment, but the men who are actually doing the work might be unfair. So, if a dispute arises, a court or jury hears all the arguments and decides whether the man has had justice.

More numerous are the disputes which arise over the rules and regulations requiring certain things to be done or prohibiting other things. The law says, "No person shall drive an automobile more than fifteen miles an hour." A policeman thinks another is exceeding that limit and has him arrested. An impartial body—a court—or a jury must decide from the evidence whether the person arrested was driving more than fifteen miles an hour. That is the only way to be fair to all concerned. One man charges that another is interfering with his rights; disputes and quarrels occur. They can not decide and some one must settle the question. Disputes range all the way from trivial quarrels over damage by a neighbor's hens to matters involving millions of dollars in



which one person claims that others are interfering with his just rights.

We are all familiar with the way in which disputes arise on the baseball and football field. The rules are laid down and all players are required to follow them. Yet every moment, differences of opinion arise. "Was the runner out at first?" "Did the pitcher make a balk?" "Did the baseman interfere with the runner?" It is hardly likely that a single game could be played through without the aid of the umpire—the court—who decides. The umpire's duty is to see that justice is done and that all players play the game fairly, according to the rules.

In the larger game of making a living and in pursuing happiness, an umpire is needed to see that the game is played fairly, according to the rules laid down, and that no person takes advantage of another. It is the duty of the judicial department to see that the rights of each are guarded against unfair methods and to show what the law means in each new situation which arises.

**Constitution Making.**—How does the government in this country get its form? How are the legislative, executive and judicial departments determined and how are the men who do the people's work in these departments kept doing what they ought to do and kept from doing what they ought not to do?

Let us take a simple case. Suppose that there were one thousand people in a community apart from all others. These thousand people would require

some government to be set up to handle their common affairs. They would doubtless meet as a body to decide upon a plan. This plan would be set forth in a constitution which would definitely state of what the government should consist, what powers it should have and would declare definitely that the officers in control should not do certain things. The thousand people would then go back to their own affairs and leave the persons selected as their representatives to do the work, according to their wishes expressed in the constitution. Provision would be made also to make changes in the constitution whenever needed.

Constitutions for a large group of people comprising a state or the whole nation are similar in character. All of the people of the state or the nation, through representatives selected for the purpose, have framed constitutions which are their supreme law. The constitution decides what the powers of the government shall be and determines how the legislative, executive and judicial work shall be organized and how the work shall be done in carrying on the common affairs of the people of the state or nation. No officer may do anything which is contrary to the constitution. Whatever he may do which is contrary has no effect whatever because the constitution is the supreme law.

**Checking the Government.**—The people have always been careful not to give too much power to their officials because they have feared the tyranny

of officers. Their fear came from their experience and knowledge of oppressive governments. Government by kings and nobles over whom they had no control caused them to be careful in setting up their own government to see that no one should have arbitrary power over them. One of the first things they established in their constitutions was a bill of rights or a code of civil liberty.

**Religious and Civil Liberty.**—Under modern constitutions, the right to religious freedom is guaranteed. Every man is given the right to worship as he pleases and any attempt to make a law or to enforce a law interfering with that right has no force. A man's life, liberty and property are declared to be safe from interference by laws or officers. They could not be taken away except by due process of law—that is, they could not be taken unfairly.

**False Imprisonment.**—No one can be put into prison without cause. Any person charged with crime has a right to have his case heard speedily and to have counsel and witnesses and also to be let out on bail. Arbitrary governments often threw men into prison and kept them there on false pretenses. Our officials have no such powers because the people have provided for their own protection through the Constitution.

**Free Speech.**—Every person is guaranteed the right to free speech but, of course, he is responsible for false statements in speech or writing. This is considered one of the most precious civil rights be-



cause it enables us fearlessly to attack every abuse.

**Freedom of Assemblage.**—Likewise the people's right to assemble peaceably and to express themselves on their common affairs is a precious right which is guaranteed. In despotic countries, the gathering of people for such purposes is forbidden so that the people have no chance to consult for their common good. In this country, we believe that the best way to handle difficult questions is to let the people have the fullest discussion of them. There is a limit, however, which we do not permit people to exceed. Meetings which urge violence are not generally tolerated.

**Equal Rights.**—Equal rights to all being the keynote of democracy, it is essential that no special privileges be granted to any one. All must be treated alike and any right which is granted to one person must be equally open to all. No other system would be tolerable and it is the constant purpose of all true lovers of democratic government to try to live up to this ideal.

**Where to Find Our Safeguards.**—These are some of the more important matters in which the people protect themselves against the unfairness of officers who may be in power. For further facts read the bill of rights in your own state constitution which protects against any state, county, city or township officers; and the first ten amendments to the federal Constitution which protect the people against federal

officers; and the thirteenth, fourteenth and fifteenth amendments to the federal Constitution which protect against any national, state or local officers, who may exceed their powers.

### QUESTIONS FOR INVESTIGATION

What does the Declaration of Independence say on the nature of government? Where does the just power of government come from?

Show how government arises from actual needs.

Name the principal things which government does with which you are familiar.

Why is it impossible for the people by themselves actually to do the work of governing?

What parts of the common work can the people readily do?

What are the purposes of government set out in the preamble of the United States Constitution? Of your state constitution?

Discuss the statement that all people should have equal rights and that no one should have special privileges.

Show the importance to the people of their right to assemble to discuss their common affairs.

Why is it necessary to have safeguards against the tyranny of officers?

Read the bill of rights in your state constitution. Read the first ten amendments to the United States Constitution. Read also the thirteenth, fourteenth and fifteenth amendments to the United States Constitution.

Why do we need a constitution?

What is the meaning of the term "representative"?

Would it be possible for the people by means of the ballot to decide what should be done in all cases? Give reasons.

## QUESTIONS FOR DEBATE

Resolved that the people criticize themselves when they criticize their government.

Resolved that the people should do more of their work themselves and leave less to their representative.

WHERE TO LOOK FOR FURTHER  
INFORMATION

Declaration of Independence, Appendix, p. 359.

The state constitution of your state (preamble and bill of rights).

United States Constitution (preamble and first fifteen amendments).

WHERE TO WRITE FOR FURTHER  
INFORMATION

State University, Head of Department of Political Science, Economics or Sociology.



## CHAPTER V

### THE PEOPLE AND GOVERNMENT OF THE UNITED STATES

There were about ninety-two million people in the United States in 1910, when they were counted by the United States Census Bureau. The number had increased to one hundred million in 1915 and now increases more than two million a year.

**Facts About the People of the United States.**—The ninety-two million people were distributed over an area of land of two million nine hundred seventy-three thousand eight hundred and ninety square miles, or an average of about thirty-one persons to the square mile. The distribution was very uneven, ranging from five hundred and eight persons to the square mile in Rhode Island to less than one person per square mile in Nevada. That is, in Rhode Island there was one person for a little more than each acre of ground while in Nevada there were more than six hundred and forty acres for each person. There were thousands living in single blocks in the great cities while a few persons occupied thousands of acres in the country.

**Rural and City Population.**—Another comparison is important. There were in 1910, forty-nine million

three hundred forty-eight thousand eight hundred and eighty-three people living in rural communities and forty-two million six hundred twenty-three thousand three hundred and eighty-three people living in cities and towns of over two thousand five hundred. Forty-six and three-tenths per cent. of all the people lived in cities and larger towns. The number in cities is on the rapid increase. Forty and five-tenths per cent. lived in cities and towns in 1900 and only thirty-six and one per cent. in 1890.

**Occupations.**—In 1910, thirty-eight million of these people were engaged in some profitable employment, and twenty million more were engaged in home-making. At that time there were more than nine thousand different occupations in which the people earned their living.

Of the thirty-eight million people engaged in employment in 1910, twelve million six hundred fifty-nine thousand were engaged in farming, forestry and animal industry; nearly one million in mining; ten million six hundred fifty-eight thousand in manufacturing and mechanical work; two million six hundred thirty-seven thousand in railroad and other transportation; three million six hundred fourteen thousand in trade; one million six hundred sixty-three thousand in professional service; three million seven hundred seventy-two thousand in domestic and personal service; one million seven hundred thirty-seven thousand engaged in clerical occupations, such as bookkeepers and stenographers.

**Foreign Immigrants.**—Thirteen million five hundred fifteen thousand or fourteen and seven-tenths per cent. of our people were born in a foreign country. These people came from all parts of the world but principally from European countries. Thirty-three per cent. of the population of Rhode Island was foreign born, thirty-one and five-tenths per cent. of Massachusetts and thirty per cent. of New York while only three-tenths per cent. were foreign born in North Carolina and one-half of one per cent. in Mississippi.

**Illiterates.**—There were in 1910 more than five million five hundred thousand persons over ten years of age who could not read and write and there were two million two hundred seventy-three thousand six hundred and three men of voting age who could not read and write. Seven and seven-tenths per cent. of all the people were thus illiterate and eight and four-tenths per cent. of all the voters could not read nor write.

**The Importance of These Facts.**—The statements given above show the main facts about our people and their work. It is with people and what they do that we are concerned in our study of government. Our one hundred million inhabitants must work together in harmony in providing for their common needs. Rules must be made so that each may live without unfair interference from others and so that no single person may interfere unfairly with the rights of all.

The people in this country are the ones who decide

what things shall be done for the benefit of themselves and what rules shall be made for the conduct of all.

**Need of Different Forms of Government.**—The first thing which the facts show is that the same rules will not do for all parts of the country. The same rules will not do for Rhode Island where there are five hundred and eight persons to the square mile and ninety-six and six-tenths per cent. live in cities and towns, and for Nevada where there is less than one person to the square mile and only sixteen and three tenths per cent. live in cities and towns. The same rules will not do for the crowded city and the rural districts. The same rules will not do for some of the eastern parts of the country where nearly all are engaged in manufacturing and transportation and for some of the western parts where the great majority are engaged in agriculture. The same rules will not do either for a state where everybody is educated and for a state where there are great numbers of illiterates. Likewise, there must be a difference in places where there are large numbers of persons born in a foreign country and in places where the people are all native born and have the same habits and ideals.

So that, if we were to start out to-day to make a plan of government to fit our people, we would doubtless divide the country up into parts and we would say to each part, "You look after your own problems to suit yourself, altogether we will look

after those things which concern all of us." Then, each part or state would do whatever it deemed best for itself; and all of the parts acting together through the nation would do those things which concern all of the people of all of the states.

**Division of Work Between States and Nation.**—That is the way things are done but it did not come about by a single process. It came about gradually as a result of conditions. The thirteen colonies after the Declaration of Independence in 1776 were separate and distinct states. Each took care of its own affairs but all tried to work together to win independence under an agreement called the Articles of Confederation. After the war, the states found that this agreement did not work because each state could do as it pleased without regard to the other states, and the people organized the federal government in 1787 and gave it certain exclusive powers leaving all other powers for the states. Thus, those matters which concerned all the states were given to the federal government while those which were local were left to the states. The division of powers was made according to the needs of that time. Rather extensive powers for that time were given to the nation because we had just won independence and were subject to foreign dangers; and we needed the power of all to protect us.

**Powers of the Nation.**—Naturally the first matter of concern was protection against foreign countries. The states could not protect themselves alone, so the



federal government was given control of the army and navy. All matters relating to foreign countries and to war or preparation for war were given to the federal government acting for all of the people of all of the states.

The second matter of importance was that of trade. We have already seen that the exchange of goods is a necessity. It is more so now than in 1787; but at that time the need for a free exchange of goods among the states was so great as to bring about a demand for the federal Constitution. Seeing the absurdity of thirteen states setting up different requirements and interfering with trade, the people of all the states put the matter in the hands of the United States and gave power to the nation to regulate commerce between the states. They went further and provided for aids to trade such as coining money, fixing standards of weights and measures, and establishing post-offices and post roads. The object of these was to make commerce easier. It was evident to them as to us that money must be uniform so that it would pass in any state and that the standards by which a bushel of grain or a pound of meat were measured should be the same in every state.

The power was given, of course, to do all things necessary to provide the facilities for doing the work of the United States, such as building government buildings, dredging harbors and developing or disposing of public lands. A few other powers were given, also, such as fixing the rule for naturalizing foreign-



ers who wish to become citizens of this country; granting patents and trade-marks; issuing of copyrights; and making a uniform method of settling bankruptcies.

The four important things which the nation could do were therefore:

To attend to all dealings with foreign countries.

To provide protection against foreign nations.

To regulate trade among the states.

To build works for common needs.

**Powers of the States.**—The people merely said that the federal government should do a part of the things they wanted done and that the states should do the rest. They tried to divide the powers in such a way that those things which concern the people of all of the states should be done by the federal government, and those which concerned a single state should be done by that state. Of course, it was the state's duty to protect its citizens within its borders; to promote trade within the state; and to build the necessary works for common use of its own citizens. In addition, all matters relating to education, public highways, caring for the poor and unfortunate, transferring property, looking after the descent of property from a person to his heirs, draining swamps, etc., were assigned to the state.

**Division of Work Between States and Local Communities.**—But the state could not by itself do all of the things required to be done. The same reasons which made it necessary that each state look after

its own local problems, made it desirable that each locality look after the things which concern it. The people of a state therefore divide the territory into counties and the counties into townships and often the townships into smaller districts. They assign to each, certain work which is local. The state recognizes peculiar problems such as those which a city or town brings. It makes a separate government for the cities and towns so that they can do those things which concern them. Further than that, there are problems such as the problem of drainage. This question may concern a given territory composed of several counties or townships. Certain needs arise and for the purpose of meeting these needs, a separate organization is provided. Likewise a separate arrangement is sometimes made to prevent floods, establish irrigation works, prevent fires, or furnish water or other facilities in the district affected.

**A Complex System.**—Thus we see that the business of providing for the common needs of one hundred million people in this country and regulating their relations with one another requires an extensive organization. There are “wheels within wheels,” each one performing its function and all working for the fullest freedom and protection of each individual.

**A Double-Headed Country.**—The peculiar feature about this country is the double management at the top. In most countries the national government is supreme and states are subject to it the same as cities,

counties and townships are subject to the state in this country. The nation exercises what power it pleases and gives the states, counties, townships or whatever they may be called such powers as it sees fit. In this country, as we have seen, there are two main heads. The nation exercises only the powers granted to it. The nation has no control over the states in their work and the states have no control over the nation in its work. The state does, however, have entire control over the counties, townships, cities, towns and all other divisions of the state. It assigns them their powers, fixes their boundaries and could abolish them. These divisions are merely the agents of the state; to do the things which the state or the particular locality wants done. So the state makes general regulations and leaves the counties, townships, cities and towns to carry out these rules.

In practise, of course, the states leave the local governments much freedom. In the case of cities, particularly, there is a strong tendency to let the city alone in matters which concern itself solely. The state controls affairs only when more than the people of the city are concerned. Home rule is the term applied to the movement to let local governments attend to their own affairs.

**Importance of Knowing the Form of Government.**  
—It is important to study carefully what powers each one of our governments—local, state and national—exercises so that we may know where to appeal to get

things done and where to put the blame when things are not done or are done badly. We need to know what powers the officials in each of our governments have. We can go, then, direct to the right official when we want a thing done. The officials at Washington get thousands of letters concerning things over which the federal government has no control; and the state officials likewise have thousands of requests concerning things which are attended to at Washington. Often candidates for office in states and cities promise all sorts of things which they could not perform if elected because they are not functions of the states or cities. If people really knew the power which the different officers possess, silly promises of candidates on the stump would be ridiculed.

When we know the facts about the way our governments are constructed, we shall make, from time to time, sensible changes of powers of the different governments, to meet new conditions. Thus, if the state exercises power over the people of a city and through that power interferes with the good government of the city, the power should be transferred from the state to the city. If the city is trying to do things which it can not do well, the state should be called to help. If the nation can do things which on the part of forty-eight states are not well done, then the change ought to give extra power to the nation. Likewise if the nation is given power to do a thing which the states could do for themselves with greater



effect, then the power should be given to the states.

**Value of Local Government.**—The people of a locality ought to do everything which they can do. It stimulates the people of a city to make by their own efforts a clean city, to develop the very best educational system, to build playgrounds, good streets and pavements, and to do all work efficiently. This has the same effect as the accomplishment of tasks by children. If a child does a thing by himself he finds pleasure in it, but if some one does his tasks for him, he becomes lazy and uninterested.

**Examples of a Proper Division of Work Among Locality, State and Nation.**—Matters which are too big for a locality to handle should be given to the state, and if too big for the state should be handled by the nation. Take the health problem as an example. Of course, each locality should see that everything that might be dangerous to health is prevented. But a single locality can not be safe from disease by its own efforts. Diseases spread from place to place. One city may dump its sewage in a stream which carries disease to another city. Disease unchecked in one city becomes dangerous to the people in many places. The state must step in to protect all the people. But even the states are at the mercy of other states if they neglect to prevent disease. Diseases travel from state to state. Rivers bearing pollution and disease run from state to state. A state can not regulate the condition, for it is out-

side its boundaries. Nothing but the nation can effectively prevent such conditions. Here, then, we have an illustration of the sphere of each government and of the way in which all may cooperate to the benefit and protection of the people.

So, also, in regulating railroads. The city is helpless except in very minor matters. The state is more powerful but only so far as it may regulate railroads entirely within its borders. The nation is the only power which extends over the entire field occupied by the railroads. So the city does what it can to make crossings safe in its limits; the state regulates those railroads which are entirely in the state; and the nation regulates those railroads which extend from state to state.

On the other hand, the matter of regulating street traffic is wholly a city matter in which the state is not concerned. The city should be left entirely free therefore to regulate street traffic. Many other questions are strictly local and the state should not have a voice in them.

Likewise, the matter of charities is one which the states can handle by themselves without interference by the nation. They ought to do so, therefore, on the theory that each government should do those things which it can do best. The more the city can do, the better; and the more the state can do, the better. There will in any event be enough of very important work left for the nation to do.

**Constitutions.**—The government of this nation is



organized under the Constitution of the United States. That Constitution was adopted in 1787 and has had seventeen amendments. It is the supreme law of the country on the matters with which it deals. No law may be passed or act done by the nation, state or city contrary to its provisions.

Each state has its own constitution which is the supreme law of the state in all matters where it does not conflict with the Constitution of the United States. State constitutions have been more frequently revised and changed than the national Constitution and changes now take place frequently. These constitutions are framed by the people of the state in a convention of representatives whom the people elect for that purpose and are voted upon by the people. No law may be passed by the legislature or act done by state or local officials contrary to the state constitutions.

Cities generally have a charter which outlines the city government and fixes its powers. In some states this charter is the work of the state legislature and in others it is framed and adopted by the people of the city. The city council or commission or city officials may not do any act which is in conflict with the charter.

### QUESTIONS FOR INVESTIGATION

Why are the facts relating to the people and their work important in the discussion of government?

Point out the main reasons why different laws are needed in different parts of the country.

What would be the effects of leaving the regulation of trade passing from state to state to each of the forty-eight states?

What is the principal advantage of leaving the question of defense against foreign countries to the national government?

Would it be possible for the state or the nation to regulate the traffic in a city?

What is the best test to determine whether it is better to have a thing done by the local government or by the state? By the state or by the nation?

What is the method of making changes in or amending the United States Constitution? Your state constitution? Why is it important to provide for changes or amendments?

Mention all of the different things which your city, township or county can do well by itself without help from the state or nation.

What are the advantages to us of attending to our own local affairs?

Read section 8 of Article I of the United States Constitution which shows what powers the United States exercises through Congress.

### QUESTIONS FOR DEBATE

Resolved that the building and care of highways should be left to the local government, the township or the county.

Resolved that the nation should take steps to help remove illiteracy, although education is a matter left to the states and local governments.

### WHERE TO FIND FURTHER INFORMATION

United States Constitution, Appendix, p. 364, Article I on the powers of Congress.

Abstract of the United States Census of 1910. (May be obtained free from the United States Census Bu-

reau, Washington, D. C. Contains facts about the people.

Bryce, *American Commonwealth*.

Vol. 1, Chap. XXVII "The Federal System."

Chap. XXVIII "Working Relations of the National and State Governments."

Chap. XXIX "Criticism of the Federal System."

Chap. XXI "Merits of the Federal System."

Howe, *Modern City and Some of Its Problems*.

Chap. VI "The City and the State."

Chap. VII "Municipal Home Rule."

Chap. VIII "The City Charter."

#### WHERE TO WRITE FOR FURTHER INFORMATION

U. S. Census Bureau for specific information on population.

U. S. Bureau of Immigration and Naturalization for information regarding immigration and citizenship.

## CHAPTER VI

### ROADS AND STREETS

In many respects roads and streets are the most important matters with which the people have to deal. Civilized life is not possible without means of travel and transportation. Every civilized nation has found this to be so and almost from the earliest times of which we have record, roads have been built for the common benefit. Usually in the earlier times roads were built for military purposes. It was necessary that means of sending troops quickly to any part of the country be provided. Rome learned that and her strength was largely due to her splendid system of roads over which she could send her legions to distant parts of her domain. Modern nations have learned the lesson too, and a network of roads and railroads is one of the chief defenses of nations. The United States in the early days saw the necessity of binding the country together and spent millions in building the National Road from Baltimore to the Mississippi.

**Modern Roads Are for Commerce.**—Modern roads, in this country at least, are not built for military purposes. They are laid out to enable people to travel for profit or pleasure and make possible the transpor-

tation and exchange of goods. They have grown up to meet the immediate need without a general plan. From mere trails they have developed into roads. In the older sections of the country, the laying out of roads is about completed and the present problem is to rebuild and maintain them to meet the requirements of the changing modern traffic.

**Development of Roads.**—The history of road development in a community follows a uniform course. First, there is need of a trail to penetrate the new country. As people begin to use this trail, demands for improvement come. The most dangerous parts are made safe. When traffic increases, constant repair is needed. When heavy vehicles begin to be used, the roads must have a firmer foundation and need greater care. Automobiles make necessary a firmer surface as well as foundation. The development of the road into a city street makes necessary a solid pavement to stand the heavy and constant traffic. Brick, asphalt, concrete, stone and block pavement are needed in cities.

The principle illustrated by the history of road development is that the roads should be built to meet the needs of the traffic. They should be able to stand the kind of traffic that passes over them. In building or improving a road, the first matter to determine is the amount and kind of traffic which will pass over it. A traffic census will show the kind and extent of the improvement which it is wise to make.

**Kinds of Roads.**—To meet the various demands of



traffic many different kinds of roads have developed: paths and trails in remote sections, dirt roads, sand clay roads, gravel roads, broken stone or macadam roads, brick roads, concrete roads, various other forms of hard-surfaced roads such as asphalt, creosoted wood block, stone block and various patented forms of road.

**Paths and Trails.**—Of paths and trails we need not be here concerned. They are in remote sections and little used. They do not help or hinder travel and transportation to any great extent.

**Dirt Roads.**—Dirt roads are of great importance to all the people. There were in 1909, two million two hundred and ten thousand miles of roads in the United States of which more than two million miles were dirt roads. It should not be assumed, however, that their importance is in proportion to the number of miles. Probably more traffic passes over the other two hundred and ten thousand miles of roads than over the entire two million miles of dirt roads. It has been estimated that nine-tenths of the traffic of the country passes over one-tenth of the roads. If this is true, then the dirt roads carry only one-tenth as much as the other roads.

To the rural dweller, however, the dirt roads are most important. They are his roads to market and he must do his pleasure driving upon them. The traffic possible over most of these roads will hardly ever justify expensive improvements and it is important to study the problems of construction and



A Bad Road



Same Road Improved

U.S. GEOLOGICAL SURVEY  
WASHINGTON, D.C.



maintenance of these roads so that they may be reasonably satisfactory. Given proper grade lines, surface drainage, culvert and sub-drainage and the dirt road can be kept in fair condition for most of the year.

**Sand Clay Roads.**—The next form of road to be discussed is the sand clay road, so named because it is made of a mixture of sand and clay in the right proportions so that it is neither sandy nor sticky. This kind of road is built by putting sand and clay on the roads and then thoroughly mixing these substances with a disk harrow. The road is then rolled with a heavy road roller and a hard surface is formed. There are natural mixtures of sand and clay which form natural sand clay roads. If the right kind of sand and clay are near at hand, sand clay roads can be constructed very cheaply. In grade, drainage and foundation, they should follow the principles which are followed in building dirt roads. The grade should not exceed five per cent. which means a rise of five feet in one hundred feet; the foundation should be well drained so as to give a firm base; and the surface should be drained to prevent damage by standing surface water. Along such roads there should be open spaces so that plenty of sunshine may be had to keep the road dry. A good sand clay road costs from two hundred dollars to one thousand two hundred dollars a mile depending upon the nearness of materials.

**Gravel Roads.**—The gravel road is constructed by

preparing the grade and then placing a suitable amount of gravel, usually from eight to twelve inches deep in the center. The gravel is then rolled with a heavy roller until it is crushed close together. Sometimes the gravel is screened and the coarser gravel put on the bottom. Good road-building gravel should be hard, tough and have cementing or binding power. To make a good gravel road, the particles must cement together. This kind of road is more expensive than sand clay roads and the importance of care in building and repairing is greater. Failures are commonly due to the following main causes, according to Logan W. Page in his book, *Roads, Paths and Bridges*:

Poor material.

Spreading the gravel in dry weather; dumping it in heaps and leaving it for traffic to compact.

Placing the gravel on surfaces filled with ruts and holes.

Insecure or poorly drained foundation.

Improper construction of ditches or culverts.

Making the road so narrow that wagons will track, thereby forming deep ruts.

Failure to fill ruts and holes with gravel.

**Macadam Road.**—The macadam road is the next most expensive and durable road. It is usually known as a broken stone road because its main parts are of stone broken and crushed for the purpose. The broken stone is placed upon a foundation properly graded and drained and is rolled with a road roller

until it is compact. About a six-inch layer of stone is rolled at one time. After the stone is sufficiently rolled, screenings or binder is spread on top and rolled. This causes the pieces of broken stone to knit together. Sometimes, a special binding preparation is used and such roads are known as bituminous macadam roads. A good macadam road costs from two thousand to ten thousand dollars a mile. It is a durable road for moderate traffic, but is not successful where there is heavy traffic as in cities.

**Brick and Concrete Roads.**—The failure of the dirt, sand clay, gravel and macadam roads to stand heavy traffic has caused some communities to use brick and concrete. Cuyahoga County (Cleveland, Ohio), has many miles of brick pavement on country roads; Wayne County, (Detroit, Michigan), and Milwaukee County, Wisconsin, have used concrete extensively for roads.

**Street Pavements.**—When we consider the streets of cities, we should consider them as roads which are called upon to bear heavier traffic and consequently need to be stronger. The kind of roads sufficient for the smaller traffic of the country will not do in the city. Even the macadam road will not endure under city traffic. The very best pavements that have been devised are not able always to stand the strain of the traffic on busy streets. Cobble stone and stone block were the first forms of city pavement. Then came brick, specially hardened for paving purposes, and wood block. Asphalt next came



into use and is now the most common form of pavement. Concrete pavements have been put down extensively during the last few years in city and country. Various forms of patented pavements have been invented and used, as, Bitulithic, Warrenite, Rocmac, etc. The process of building all these pavements, including brick and concrete, consists in placing the proper thickness of these materials upon a solid foundation usually made of concrete.

**Success Dependent Upon Intelligent Construction.**—There have been many failures of all kinds of paving and there are examples of success for each, which suggests that the success or failure may be due to the method of construction and maintenance. The matter of foundation is all important. The best surfacing will not hold upon a weak and crumbling foundation. The pavement must, also, be adapted to the place and the traffic. Soil conditions and climate also have their effect. It is the work of an expert to select pavements suitable to a given place and supervise their construction. Billions of dollars have been wasted by incompetent men in charge of building roads.

**Repair and Maintenance.**—Repair of both roads and streets is all important. Generally it has been done in a haphazard way by men who are not experts at the work. Dirt roads are usually looked after by farmers who spend a day or two a year at the work and have no chance to become skilled in it. Gravel and macadam roads are generally left for the

most of the year uncared for and little causes bring large troubles. Streets are too often managed by politicians who are not appointed because of their knowledge and skill in repairing and maintaining streets.

The remedy for these conditions is to be found in providing for skilled men to look after the roads and streets the year round. Instead of repairing country roads once a year, skilled road men should be employed at all times to look carefully after the roads and repair any defects as soon as they appear.

The patrol system is the ideal plan for country roads. A certain number of miles of road should be put under the supervision of a competent man who should go over the road daily, repairing any breaks in the road, filling holes, and keeping the drains open. "A stitch in time saves nine" is a good maxim to apply in caring for the roads. Materials for road repair should be distributed along the road so as to be always at hand for the use of the road patrolmen. City streets should be patrolled in the same way and constantly repaired.

**Control and Management of Roads.**—We come, now, to the matter of control and management of these matters upon which the people spend three hundred million dollars every year out of taxes and millions more from bond issues. These matters are managed by road districts, townships, counties and the state. The cities and towns look after their own streets,

**Local Control and Management.**—Sometimes it makes a matter clear to tell a bit of history, and the control of roads can be illustrated by that method. A few years ago the roads of this country were managed entirely by local authorities. The townships and the road districts into which the townships or counties were divided were supreme masters of road building and repair. A township road commissioner or the road district pathmaster was the principal road official. All able-bodied men were compelled to work on the roads or pay the road tax assessed against them. The road supervisor or pathmaster ordered the men out to work on the roads at convenient times and the men came with tools or teams and generally loafed or at most did only a fraction of a good day's work. The scheme did not anywhere result in good roads. There was no expert supervisor of roads and no road engineer to look after difficult problems. The roads in many parts were impassable for a large part of the year.

**State Aid and Supervision.**—As long as people had no concern outside of their vicinity this system brought no general hardship. Each community suffered from its own neglect. But as relations broadened and each community began to depend upon other communities, when cities grew up which had to depend upon a wider area of country for support, it brought hardships to others if a community neglected its roads. It became evident, at once, that in some way, all of the people who depended

upon the roads should have a voice in their control. Powers were given to counties to build and maintain the more important highways. The same force finally brought the state into action to build main roads because of the need for good means of transportation over wider areas. The coming of the automobile and motor-truck has made even the state too small a unit and we have now the agitation for national aid so that great thoroughfares may connect all parts of the country.

In almost every state the course of development has been the same. Local control has given way to the larger interests of the counties and state. The movement has been helped considerably by the recognition that road building is a scientific matter and that experts are needed for it. The larger the area having charge of the roads, the better the talent employed. It was an improvement to center the work in a township officer who worked all the time. It was a further improvement when a single officer supervised the work for a whole county. It was a real step for efficiency when state highway departments were formed with expert engineers to give advice and to supervise highway work.

In some states the old system of purely local control still exists. Several states have partly abandoned it, and many have done away with it entirely.

**Plan for Control of Roads.**—The best thought of the country and, also, the best practise approves the system now being established as follows:

1. Township officials have charge of township roads, mostly dirt roads.

2. A county road official has charge of the more important roads connecting different parts of the county and gives advice to township officials and supervises their work.

3. A state department or engineer gives aid and counsel to county and township officials on road problems, inspects and supervises highway work, tests materials for road construction, passes upon plans for road improvement, and has charge of main highways which are known usually as state highways.

4. A national bureau of roads studies the best methods of road construction in all parts of the world, gives expert advice to road officials of states, counties and townships, publishes educational literature on road making, and would, if national aid should be granted to help build good roads, pass upon the plans of the states for which national aid is asked.

This scheme of roads is paid for by all concerned. The township builds and maintains the roads which are useful mainly to its people. The county builds and maintains the roads which are useful to several townships. The state builds and maintains the main thoroughfares, or the state offers an inducement to the counties and townships by entering into a partnership with them by which if they improve and maintain a satisfactory road, the state pays part of the cost—usually one-third to one-half.

**National Aid.**—The plan for national aid extends this aid proposition. The national government would enter into the partnership and agree to help pay the cost of roads which form thoroughfares from state to state.

**The Future Importance of Roads.**—We are undoubtedly just in the beginning of road improvement in this country. By 1900 scarcely any steps had been taken to improve main roads. Now more than two hundred thousand miles have been improved. The people have just begun to realize the benefits which may come from good roads both in the way of profit and in pleasure. They have found that good roads result in cheaper transportation to market and consequently lower costs to the consumer and greater profits to the producer. They have learned that a road is no better than its steepest hills and worst mud-holes; for the hills and mud-holes determine the size of loads and the ease of travel.

Improved roads will result in greater use. We now carry a little over two hundred and fifty million tons on the highways. We would carry four times that much if we had good roads. Good roads mean better schools, more valuable land, more enjoyments and better relations among the farmers. They are therefore the best means of building up the country and of keeping people from leaving for the city.



## QUESTIONS FOR INVESTIGATION

Make a map of the roads of your township or of the streets of your city around your school.

Show on the map the kinds of material used on the roads or streets indicated.

What are the main conditions to be observed in deciding what kind of improvement should be made on a road or street?

What are the principal matters which you would take into account in determining whether a road or street has been made at a fair cost?

What is the relation of roads and streets to the cost of living?

What is the value of the system of cooperation in road building by which the local governments do the work on plans from the state and with state aid for approved roads?

Does the system of working out the road tax still prevail in your community? What are the results of it?

Make a list of all of the different types of improved roads and streets and have a report upon each type by a member of the class.

What is the value of a traffic census?

If a road, in which you are interested, should need repairing, how would you go about it to get it done?

What different kinds of road machinery are owned by your township? What different kinds of machinery for street making and repair does your city own?

What is the patrol system of repairing roads and streets?

What is the value to the farmer of the building of thoroughfares from state to state? To the city dweller?

Should the farmers whose land borders a highway pay an extra portion of the cost of macadamizing the road?

Would there be any likelihood that improved roads would increase the use of motor-trucks in your community and result in the use of that method for marketing crops?

QUESTIONS FOR DEBATE

Resolved that concrete roads are preferable to brick roads.

Resolved that the national government should give aid to the state for the improvement of roads.

Resolved that the patrol system is the most practicable means of maintaining roads and streets.

WHERE TO LOOK FOR FURTHER  
INFORMATION

Page, *Roads, Paths and Bridges*.

(Describes different types of roads and methods of maintenance.)

Spalding, *Text-book on Roads and Pavements*.

American Highway Association, *Official Good Roads Year Book of the United States*. (Annual.)

WHERE TO WRITE FOR FURTHER  
INFORMATION

U. S. Bureau of Roads and Rural Engineering.

State Highway Department or Engineer.

County Highway Superintendent or Engineer.

Local Highway Officials.

American Highway Association.

## CHAPTER VII

### HEALTH PROTECTION

The health of the people is their most important concern. Every one should look to the protection of his own health and the strengthening of his body as the matter of most importance to him. There is much ill health due to carelessness and ignorance. If knowledge of disease prevention were generally known, there would be far less sickness than at present and the length of life would be considerably increased. Good health is important to the individual but it is equally important to all of the people and to the nation of which they are a part. A nation in which large numbers of people are sick and which does little to prevent disease, can not stand against strong healthy nations.

**Health Protection Most Important.**—For the benefit of the individual and for the protection of the whole people, it is important that careful attention be given to the matter of health. A few people will protect their own health because they know how, but most people must be instructed because they do not know how. A few people can not well protect themselves against disease and therefore all should coop-

erate for prevention. The importance of health protection increases as population increases and as people live closer together in crowded quarters.

**Prevention of Filth.**—One of the first duties which the people perform in health protection is the prevention of filth which may carry disease germs. Decaying vegetables, dead animals, and refuse of all sorts are generally required in the cities to be removed and destroyed for they are unsanitary and furnish breeding places for rats and flies, both of which may carry disease germs. In the country where no one would be affected but the person causing the nuisance to continue, it is not so important because only the person who is to blame would suffer, but as soon as it becomes dangerous to others, the people require that the nuisance be removed. Where many people live close together, it becomes of greater importance, and where large numbers of people are crowded together as in cities, it is one of the first necessities that all kinds of filth shall be removed.

In the country, however untidy it may be to do so, the wastes of the kitchen may be thrown out the back door without serious danger to health, but in the city such waste would become a menace to the surrounding dwellers. We could not imagine any outside interference in the way a person keeps house in the country unless the conditions are extremely bad. No one would go into a kitchen to compel the owner to clean up, but when hundreds of families live in a single tenement building, one kitchen might

be the breeding place for diseases which would affect all of the dwellers.

So it is in all matters relating to refuse and filth. As population increases, refuse and filth become more and more dangerous. In crowded cities, efforts must be made to prevent the accumulation of filth and refuse where it would endanger the health of the people.

**Power of Health Boards to Remove Nuisances.**—The health boards of cities and towns are authorized to remove any such condition which might be dangerous to health. They do so by orders issued to the owners of the property in which such nuisance is located; and if the owner fails to remove the bad conditions, the health board often removes them and charges the expense to the owner. The owner may also be fined and imprisoned for failure to comply with a reasonable order to clean up his premises.

**Prevention Better Than Cure.**—The prevention of such conditions is, of course, more important than their cure. Prevention should always be the ideal in matters of this kind. Where bad conditions are likely to exist, provision should be made in advance to prevent them. Thus, in the city, the individual housekeeper can not dispose of the refuse without great expense. If each individual took care of it himself, it would be too heavy a burden because he might have to travel many miles to find a safe dumping place. Cities and towns provide, therefore, for the doing of these things by the government,

**Necessity of Sewage Disposal.**—Likewise in the case of sewage, cities and towns provide for the installation of sewer systems and generally require that every house be connected with the system or have a sanitary system of its own for the disposal of sewage. The danger to public health in this matter is so serious that the authorities make special provision for the inspection of the plumbing so as to make sure that disease-breeding sewer gas may not escape into the buildings. This is one of the most important sanitary provisions because it prevents conditions which might breed disease. Given a good system of sewage disposal and garbage collection and a rigid set of rules to require everybody to be careful in the disposal of garbage and sewage, and the worst dangers to health in the city are removed.

**Water, Milk and Food Supply.**—The next matter of importance is that of the water, milk and food supply. In the country and small towns and even in the smaller cities this matter does not present so serious a problem since the causes of contamination are not so numerous. Where it is possible to have a good supply of water from driven wells, there is little danger of disease from that source. Where milk is produced on neighboring farms and delivered immediately to the consumer, there is little danger. The same is true also in the case of ordinary foods furnished direct to the consumer. But where large populations gather, there is serious danger in driven wells, and water for use must be brought in from



some source entirely free from danger and the water must be constantly inspected to see that no contamination occurs.

There is serious danger to the consumers when milk, a day or two old, comes hundreds of miles, very often, from places which are filthy. Close inspection has, therefore, been provided to see that milk is produced under sanitary conditions and that it is shipped without delay to market in the most sanitary manner possible. Danger to babies from impure milk has been so great that special milk stations have been provided so that absolutely pure milk may be secured for them.

In the case of foods also, there is very great danger of impurities unless the most sanitary care is exercised. A second danger arises from the use of chemicals to preserve foods. Foods are often adulterated with substances which might have a bad effect upon health. Close inspection is, therefore, provided to prevent adulterated and unsanitary foods from being sold. It is quite commonly required of food dealers that foodstuffs be carefully protected in stores and markets. Poisonous adulterations and preservatives are prohibited by law and men are punished for disobeying.

**Quarantine.**—The health authorities have large powers to prevent the spread of contagious disease when once started. The usual method of prevention is by quarantining. Rules for such quarantining may be partly or rigidly enforced. Thus, patients having

chickenpox, a disease which is contagious but not usually dangerous, are quarantined but other persons may pass in and out of the premises; but in the case of smallpox, patients are removed to special quarantine places and no one but the physicians and nurses are permitted to enter.

**Vaccination.**—Vaccination of school children against smallpox is required in many states and health authorities generally have the right to require such vaccination whenever there is danger. Vaccination against other diseases is sometimes provided but as yet is not generally required.

**Medical Inspection of Schools.**—Very close attention should be given to the health of children in schools to prevent the spread of disease. In some cities there is constant inspection. If a child shows any symptoms of illness, the teacher immediately refers the case to the school physician and if the child is found to have a contagious disease, immediate steps are taken to prevent its spread. The school offers such opportunities to spread disease that quick action in the detection of disease is always necessary.

**Sanitary Measures.**—There are many other methods of preventing the spread of disease coming into common use. Almost everywhere the use of the common drinking cup is forbidden. Likewise, the use of the common towel is being prohibited because of the danger of transmitting skin diseases. Regulation of the sanitary condition of railroad cars, street railway cars, and sleeping rooms in hotels is

rapidly extending, not only to promote the convenience of the people who use them, but to prevent the spread of disease. Methods of dust prevention are also being employed extensively because it is recognized that dust is a carrier of disease, particularly street dust which may carry germs gathered from the refuse of the sidewalks and streets.

**Destroying the Fly and Mosquito.**—One of the most important campaigns for disease prevention has been the movement known as “swat the fly.” The fly has been discovered to be a means of scattering disease and attempts are being made in the early spring to kill them off and to remove the breeding conditions. In some places a like campaign has been made against mosquitoes—the mosquito being the agent scattering such serious diseases as malaria and yellow fever. The work of Colonel Gorgas at Panama in destroying mosquitoes and their breeding places and in establishing sanitary conditions, made possible the digging of the Panama Canal. The place which had previously been a pest hole of disease became, under his direction, as sanitary and healthful as a temperate region.

**Diseases Caused by Unhealthy Occupations.**—Close attention is being given by the people through their health authorities to the study of disease caused by working in certain occupations. There are many trades carried on in places which are unsanitary. There are many occupations which it is almost certain death to follow for any great length of

time as they are now conducted. It was discovered some years ago that the manufacture of phosphorus matches caused the workers to be affected with what was known as "phossy jaw," a disease which eventually resulted in death. The manufacture of such matches has been recently prohibited.

There are, also, many occupations, known as dusty trades, in which men take into their system constantly dust and fumes which in many cases result in diseases which are often fatal. To prevent these conditions and many others, health authorities and other inspectors make investigation of the effect of various conditions upon the human system, and of means of preventing such conditions in factories and workshops. It is easy enough to prevent dust and fumes when it is discovered that they are dangerous. No one knows how many thousands of people have suffered unnecessarily from such causes. We do know that thousands of people have died from tuberculosis caused by inhaling dust which has affected the lungs.

**Hospitals and Asylums.**—From the list of measures taken by the people to prevent diseases, it is apparent that some of the people's best work is in that line. Many cities and towns provide hospitals for the cure of diseases, including tuberculosis hospitals where patients suffering from consumption are cared for, and inebriate asylums where patients suffering from the drink habit are cured. City hospitals are provided for the cure of the sick and the injured, but in general the cure of diseases has been

left to the individuals and the physicians. The people, however, have made provision so that even in this matter the individuals are protected. No one is permitted to practise medicine unless he is qualified. People believe that health is too precious to be left to quacks. No one, in most states, may engage in dentistry, or in optical work, or in nursing, or practically in any form of practise involving medicine or intended to cure diseases, unless he shows that he is qualified and receives a license from the state.

**The Result of Health Work.**—This wide range of health activities suggests the question: "What is it accomplishing? Have we had results from it so far which should cause us to hope?" From many sections of the country we have positive proof as shown in the death returns. For instance, from 1900 to 1913 the average deaths per thousand of population decreased three and five-tenths per cent. among a population of sixty-three million included in the area from which figures were gathered. This is the best evidence of the total results of health work. Given in terms of people saved, it means that if the death rate had been the same in 1913 as in 1900, two hundred and twenty-one thousand more people would have died in that year. As a result of the practical application of hygiene the death rate has decreased both in the country districts and in cities. It has been more marked in the cities where better sanitary conditions and stricter health enforcement have reduced a very high death rate to a death rate which is only



a little greater, on the average, than that for the rural districts. The average death rate in cities for each year from 1901 to 1905, was seventeen and four-tenths per thousand, while in 1913 the rate was fifteen per thousand. The death rate in the rural districts was fourteen and one-tenth per thousand in the years from 1901 to 1905, and twelve and seven-tenths per thousand in 1913.

Although much good work has been accomplished, there is much yet to be done. Professor Irving Fisher of Yale University estimated in 1911 that there are six hundred thirty thousand preventable deaths every year in this country and that there are three million persons at all times on the sick list, about seven hundred and fifty thousand of whom are workers. He estimates that this sickness costs five hundred million dollars in loss of wages and that five hundred million dollars are spent for medicines. One-half of this total loss is preventable.

**The Part of Nation, State and Locality in Health Protection.**—The carrying on of health work is conducted through the various governments from the township to nation. The principal work is being done by states and cities. Each state has a health board or health officer to look after the enforcement of the state health laws and to aid cities, towns and communities in the prevention of disease. Every city and large town has its health officer or health board, invested with proper power in enforcing all laws and regulations relating to health. In some



states, there are health officers looking after the health of the rural communities. The nation itself does not have great power in health matters and it does its most effective work in studying diseases and giving information concerning their prevention. The United States Public Health Service does invaluable work in this connection. The experts from this bureau aid states and cities in solving their health problems. The United States health authorities also have power to control matters affecting public health in the District of Columbia and in the harbors and on the Great Lakes. The greater efficiency of the United States Health Service has often caused the states to invite its aid in fighting disease.

### QUESTIONS FOR INVESTIGATION

Make a list of all the local and state officials in your state who deal with public health questions.

If a nuisance is allowed to exist on a neighboring property, what steps could you take to have it removed?

Find from the local health officials what are the quarantine regulations of your community. Get copies of notices posted on quarantined premises.

What reasons can you give for greater unhealthfulness of cities?

Why is the death rate of the country so nearly that of the cities when health conditions should be so much better in the country?

What does it cost us to be sick?

What provision is made in your school for medical examination?

Are health regulations well enforced in your community?

The death rate in the rural districts is about thirteen per thousand. What would be the total number of deaths in the rural district using the figures shown in Chapter V? What would be the total number of deaths in the cities at the average rate of fifteen per thousand?

If by improved health work the rate should be reduced three per thousand, what would be the total lives saved in the country? In the city?

Name the methods of disease prevention which you know about.

What are the principal dangers to the food supply? Water supply? Milk supply?

Several states have passed laws requiring bed sheets in hotels to be long enough entirely to cover the mattress and turn back three feet over the quilts. Discuss the importance of these laws as sanitary measures.

Give reasons for the regulation of factories to require ventilation and methods of dust prevention.

### QUESTIONS FOR DEBATE

Resolved that all children should be vaccinated before coming to school.

Resolved that provision should be made to examine the health of every child in school, including eyesight and teeth.

Resolved that every factory in which men work should be investigated by health experts and be approved by them as to sanitation, ventilation and lighting.

### WHERE TO LOOK FOR FURTHER INFORMATION

Godfrey, *The Health of the City*.

Hoag and Terman, *Health Work in the Schools*.

Harris, *Health on the Farm*.

WHERE TO WRITE FOR FURTHER  
INFORMATION

United States Public Health Service.  
State Board of Health.  
City Board of Health or Health Officer.  
Other Local Health Authorities.  
American Medical Association.  
American Public Health Association.  
American Association for Labor Legislation (for  
Health in Factories).

## CHAPTER VIII

### EDUCATION

The people of the United States have always been very strong in their support of education. It will be remembered that in Massachusetts, within a very few years after the founding of the colony, Harvard University was established. Even in those early times, schools and the means of instruction were quite generally provided in some colonies, the expectation being that through education a virtuous lot of people would be secured.

**Education Always Supported in This Country.—**When the people took control of their own affairs in the revolution, it became evident that every person who had a voice in the management of public affairs should be educated sufficiently to help handle affairs intelligently. Those states which gave every man over twenty-one years of age the right to vote soon found that each of the voters must be educated since each had a voice in affairs. The constitution of Massachusetts which was adopted in 1780 declared that:

“Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and

liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures."

**Present Extent of Education.**—Other states followed with similar declarations, but it was not until the middle of the last century that free schools became quite general. To-day, however, every state in the Union provides free elementary schools. Most of the states provide high schools and all of them either have state universities or are amply provided with privately managed colleges and universities. Every state in the Union except three, now, (1916) compel children to attend the school from the time they are eight until they are twelve or fourteen, and in some cases until they are sixteen years of age.

**Purposes of Education.**—It is recognized that education should do two things: first, it should equip the individual with power to take care of himself, to earn a living and to live with the fullest enjoyment possible; second, it should train every one to perform



the duties of citizenship, that is, to help manage the people's affairs with intelligence.

The people as a whole want the latter result but it is recognized that no one can be a good citizen unless he is first able to take care of himself. If education were a matter solely of benefit to the individual, the people would not care to spend their money to support it, but the education of each is so essential to the welfare of all, that schools have come to be looked upon as necessary among people who govern themselves.

**Education Must Be Universal.**—It is recognized, too, that education must be universal. No one would justify the support of a school by all of the people to educate a few. Any scheme of schools which we set up must, therefore, aim to give the best kind of an education possible to every person in the state. We should provide that kind of education, therefore, by which all of the people may profit. And if we can not at once provide all kinds of education suited to all kinds of people, we should provide that education which reaches the largest possible number.

**Elementary Education.**—The first kind of education that we should support, therefore, is elementary education, meaning that period of education from six years of age to fourteen or sixteen. We compel everybody to go to school during the years from eight to fourteen. Practically every one will have from now on an elementary education. Our duty,



is, therefore, to make that education as good as possible. We are justified in spending more money on elementary education than on any other kind because all of the children are going to profit by it.

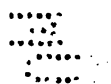
During this period of education, children should get the ability to use the tools of knowledge, that is, they should be made able to read, write, cipher and compose. They should also have practical work in the ordinary things about them so that they will understand better the conditions under which they are to live. Girls should learn domestic science. Boys should take many branches of manual training, including wood and iron work. Boys in the rural districts should have the chance to study elementary agriculture, care of animals, the repair of farm machinery and other matters which are common in the country. All children should learn the important matters of history. They should be able to read, with intelligence and delight, some of the better literature. They should begin during this period to test themselves out to see what line of work they ought to select as a life-work.

Every child by the time he reaches the age of fourteen should have a fairly accurate knowledge of the workings of government. He should begin with the small affairs of the community; he should learn how roads, streets, sewers, bridges, playgrounds and parks are constructed. He should learn how these public works are managed and what common benefits are derived from them; he should know how offi-



A Busy Traffic Scene

Underwood & Underwood



cers are elected and what the principal duties of the various officials are; especially, he should learn his own duties as a young citizen.

**Higher Education.**—At fourteen years of age, some of the children may choose to go to high school, where an education broader in scope is secured. A part of those who go to high school may choose to go on to the college and the university in order to get a still broader education. From the elementary school to the very highest form of education the chance is thus given to any person who has the ability to master the courses.

**Vocational Education.**—At fourteen years of age, however, many young people need to prepare for actual work. Some will actually go to work at fourteen without preparation, but such a course is unfortunate, for the person who thus goes to work unprepared does not often get into a position in which he can prepare himself for anything better. Most of the positions which boys and girls take at fourteen are "blind alley jobs," that is, jobs which have no future in them.

To meet the needs of boys and girls who wish to prepare for work, many of the states provide vocational schools where they may study simple trades and occupations and where they may prepare to begin the study of the more skilled trades and occupations. Many schools provide regular instruction in trades, agriculture, business and home-making so that any person desiring to fill such occupations may



prepare, thoroughly, for them. Likewise, when the boy or girl has graduated from high school or from college, he may desire to prepare for such fields as law, medicine, dentistry, pharmacy or engineering. Practically all of the states already provide the means for that kind of education at public expense.

**Part-Time Schools.**—Recognizing that some children may for one cause or another have left school at fourteen without any preparation for work, the schools are beginning to provide part-time courses so that any youth who has gone to work may come back a few hours a day or a few hours a week and get further instruction. He may thus learn while continuing to earn. In many cases, it is so arranged that boys work in a shop a week and come back the next week to school. Sometimes, they work a day in each place—the boy who is in school to-day being in the shop to-morrow.

The education thus given is of two kinds. Those who have found a suitable occupation may desire instruction which will help them to learn thoroughly that occupation. A boy working in a machine shop could thus learn, with the aid of the school, to be a thorough machinist. The second kind of education is for those who are not in a kind of occupation which is suitable for them to follow as a life-work. An elevator boy, for instance, would not want to study the operation of the elevator because such a process is so simple that it is mastered in a short time. He would want education which would pre-

pare him to study some occupation which he could take up as a profitable life-work.

In some cases part-time education is carried on in the evening, but this is more specially for grown workers who want to study matters connected with their trades. For young workers, part-time education is usually organized so that the boys and girls are given time enough off during their daily work to get this instruction.

**Extension and Correspondence.**—But many people who have left school can not come back to the school. Whatever education they get after leaving must be secured outside. For these, nearly every state in the Union provides some form of work known as extension work. The farmer and the farmer's wife are thus supplied with information and material from which they may study agriculture and home work. Lecturers from the extension centers visit all parts of the state and talk with the people upon the things they want to know. County agents of agriculture and extension workers go out upon the farms at the request of farmers to help them study problems of the soil and of crops and animals. Such help is given to workers in many other lines of activity. It is possible also for a person residing in any part of the state to secure a college education at home through the extension division which sends out regular lesson papers to guide the student in his studies. Written reports are made to the university.

**Public Library.**—The public library, which is or-



ganized to provide materials for reading and study, affords another channel by which people continue their education after they have left school. It is of great value to the graduate of the elementary or vocational school and also to the college graduate. By means of the library any person can continue his education in any line of work and unless a person does continue his education through constant reading of material that is worth while, his early education will not have amounted to very much.

**Complete System Provided.**—So we find provided in many states a complete system of education by which all persons are given the elements of knowledge and by which they are enabled to continue their education throughout life. The means are provided, and it is entirely within the power of the individuals to get as much or as little as they desire. We compel all people to take the elementary courses because we believe that that much is essential for their welfare and for the benefit of the people as a whole. It may be that we ought to compel further studies. Some states are already compelling boys who go to work to come back a few hours a week until they are sixteen years of age. Others are considering the matter of extending the age limit to eighteen years. How far we may extend the period of compulsory education is a matter to be decided as time goes on.

**The Management and Control of Education.**—The management and control of education is left entirely

in the hands of the state which in turn puts duties upon the cities, towns, counties and townships. In every state there is an educational officer, usually known as the state superintendent of public instruction, the commissioner of education or commissioner of common schools, who is in most states elected by the people. He has general supervision over the schools and in some cases has much power to compel them to keep up to certain standards.

**State Board of Education.**—A number of states have a state board of education. Some states make their state superintendent an officer of this board. New York, New Jersey and Massachusetts put the board in complete control of the state's part in education and this board selects the commissioner of education. The state board in several states has very little to do with education, but merely looks after state educational funds.

**City Schools.**—In the cities, schools are usually conducted by boards separate from the rest of the city government. These boards attend to the business affairs of the schools and appoint a superintendent, who under their general direction carries on the educational work. A few cities have provided for a business director who looks after the business affairs of the schools.

**County Superintendent.**—In most of the states, there is also a county superintendent, who has general supervision over the schools of the county. In a few states the county superintendents are directly

responsible to the state superintendents; but in many states, they are not responsible except in minor matters and, therefore, each does his work as he sees fit. They have authority, in some states, to license teachers, but the tendency is to put the matter of licensing teachers in the hands of the state board of education or state superintendent.

**Local School Officers.**—Schools are conducted in a majority of the states outside of cities by local school officials elected by districts in which the townships or counties are divided. In a few states a township official has charge of the schools of the entire township.

**Support of Education.**—Schools are largely supported by local taxation. The state, out of a tax which it levies upon all of the people of the state or from the interest from the funds which it has created, distributes the proceeds to the school districts to help support the schools. In those states which have provided for vocational education, the state pays part of the cost.

**The Service of the National Government to Education.**—The national government has no power concerning education, but it maintains the Bureau of Education for the purpose of studying problems and giving aid and advice on different phases of education. In this way, it has done a great work in promoting better methods of instruction and in solving important problems.

The national government has been of great service



to education through the grant of lands and money. These grants of land began in the very early years of the government. The national government owned vast areas of land, and it gave a certain section in each state for the benefit of common schools. Grants of land for various purposes have been given from time to time and the total has reached many million dollars. Most of the permanent school funds of the states have been built up from the sales of land granted by the federal government or from moneys directly given by the nation.

The whole scheme of agricultural education has been largely due to federal aid. The famous Morrill Act of 1862 gave each state a certain amount of land for the building of an agricultural and mechanical college. As a result of these grants an agricultural and mechanical arts college has been established in every state in the Union. In 1887 the federal government gave additional grants of land and money to carry on agricultural experiment work and as a result agricultural experiment stations have been established in all the states. More recently, large grants of money have been given to the states to help carry on extension work for the benefit of agriculture. It is further proposed that the national government shall give aid for the development of vocational schools in trades and industries and agriculture. Nearly all of the money and lands given by the federal government have been given outright to the states to handle as they please. It is recognized of late that such

an arrangement is a partnership, and the federal government is providing that the states shall spend at least an equal amount, and that they shall conduct the work in an approved way in order to get federal aid.

**Service of State and National Departments.**—In addition to providing for a system of education calculated to serve all men, the state and national governments perform splendid educational service through many of their departments. In fact many of the departments of both state and national government look upon this service as their main object.

**Road Investigations.**—We have already seen how the United States Bureau of Roads is engaged constantly in studying the best method of road building and maintenance and in giving out the knowledge thus gained to the people of the country to aid them in their road problems. We are beginning to look to this bureau for expert guidance in road matters. The state highway departments are doing the same kind of service in a more limited way, but altogether these educational services are tending to put road building on a scientific basis.

**Health Service.**—The United States Health Service is doing splendid work in helping to solve the health problems of the nation through education. State boards of health were originally organized to do educational work. These boards are training the local health officers and are broadening the knowledge of public health among the people. By means of bul-



Studying Domestic Science



Studying Agriculture





A Consolidated School

letins, lectures, institutes and conferences, the newest and best methods of disease prevention and of sanitary control are brought to the attention of local officers and of the people.

**Children's Care.**—The Children's Bureau in Washington is purely educational in its character. It has not a single power of law enforcement. It merely studies the matters of child protection and care and gives information out to the country to guide the people in the care of infants and in the protection of children. Expert service in this line will prove of great benefit. When all people are intelligently informed, children will be better cared for and trained. The large losses of lives of babies demand the most intelligent study and the most practical application of the result. State boards of health and other child-caring agencies are doing a similar work in the states.

**Agricultural Investigation.**—The Department of Agriculture is almost wholly devoted to the study and spreading of information relating to agriculture, forestry and animal husbandry. Their work means hundreds of millions of dollars every year to the farmers in increased production and in better rural conditions. Its work in the states is carried on through the agricultural colleges and experiment stations.

**Labor Investigation.**—The Department of Labor is doing a similar service for labor and the conditions of workers. It studies actual conditions and gives the information for the guidance of the public. State departments of labor, factory inspection and indus-

trial boards are the states' agencies in doing this same work. One of their greatest services is in education for accident prevention.

**Commercial Investigation.**—The Department of Commerce aids the business men of the country by constant study of trade conditions, foreign markets, methods of doing business, and by giving this information freely to the public.

**Tests and Experiments.**—The educational work of the United States Bureau of Standards is another of the ways in which the people's government seeks to discover knowledge which will serve the people. Tests are made by this bureau in almost every phase of scientific work. Delicate apparatus fix the standards for weights and test materials of all kinds. Many of the great discoveries in physics and especially electricity are due to the work of this bureau. Some state departments and state universities are doing similar work on a smaller scale.

### QUESTIONS FOR INVESTIGATION

What are the provisions of your state constitution in regard to education?

Outline the system of education in your community and state, including elementary schools, high schools, vocational schools, colleges, extension work and libraries.

Are there any arrangements in your community by which children work a part of the time and come back to the school a part of the time to get education in the line of work in which they are engaged?

What provisions are made for compulsory education in your state?



Are young workers under sixteen compelled to return to the schools for any instruction?

What is the value of correspondence study?

Show the advantages of the county agent system by which an expert in agriculture is at the call of the farmers to advise with them.

What are the principal objects of education?

What is the object of vocational education?

Show how the system of state supervision and state aid makes better schools.

What difference should there be between the schools of the city and the schools of the country?

How does the library fit in as a part of the educational system?

Write to the state superintendent of public instruction or commissioner of education at the state capital and ask for a copy of the school laws.

What connection should there be between the work of your school and the work of the community?

Do the schools prepare young folks for actual work?

What is the advantage of having facilities to continue one's education after leaving school?

Do the workers whom you know read books relating to the occupations in which they are engaged?

### QUESTIONS FOR DEBATE

Resolved that education should be made compulsory up to seventeen years of age.

Resolved that all persons under eighteen years who have gone to work should be compelled to return to school for at least six hours a week.

Resolved that vocational education should be provided at public expense to meet the needs of all kinds of people.

WHERE TO LOOK FOR FURTHER  
INFORMATION

Burch and Nearing, *Elements of Economics*.

Chap. XIV "Education of the Worker."

Lapp and Mote, *Learning to Earn*.

Betts and Hall, *Better Rural Schools*.

Dewey, *Schools of Tomorrow*.

U. S. Commissioner of Education, *Annual Reports*.  
(Free.)

School laws of your state.

Report of State Superintendent of Public Instruction.

WHERE TO WRITE FOR FURTHER  
INFORMATION

U. S. Bureau of Education.

State Superintendent of Public Instruction or Commissioner of Education.

County Superintendent of Schools.

National Education Association.

National Society for the Promotion of Industrial Education.

American Home Economics Association.



## CHAPTER IX

### SOME CITY PROBLEMS

The growth of cities has been the most striking fact of the last half century. In 1850 there were only 12.49 per cent. of the people living in the cities of more than eight thousand population. In 1860 the percentage had risen to 16.13 per cent. In 1870 there were 20.93 per cent.; in 1880, 22.57 per cent.; in 1890, 29.20 per cent.; in 1900, 33.10 per cent.; and in 1910, 38.8 per cent. Everywhere in the world, among civilized people, the tendency is the same; a larger and larger percentage of the people find their homes in the city. Probably the percentage of city dwellers will increase for many years until perhaps the problem of producing enough foodstuffs will cause people to turn back to the country to get a living.

**Growth of Cities.**—The increase in the city population, as a whole, has been steady but many cities have had phenomenal increases and some have grown up in a very brief time. Gary, Indiana, rose from sand piles in 1905 to a city of sixteen thousand eight hundred and two in 1910. Oklahoma City increased from ten thousand and thirty-seven in 1900 to sixty-four thousand two hundred and five in 1910, and many other cities increased almost as fast. The cities of

Chicago and New York, with their enormous populations, increased 28.7 per cent. and 38.7 per cent. respectively from 1900 to 1910.

**Problems of City Growth.**—This rapid growth of cities has brought important problems to the front.

First, there is the problem of circulation—the planning and building of streets and alleys so that there may be free traffic. Streets wide enough to handle a small traffic, when called upon to handle twice that traffic, must be widened, more streets must be opened, or the traffic diverted to other streets. The problem of getting food and other materials easily from the country requires that thoroughfares be opened connecting with the main highways leading into the country. Without such thoroughfares every load of goods brought into a large city must travel long distances to get to market.

Second, a forecast of the future growth of the city must be made. Every new addition of territory to a city should be subject to control by the city so that narrow, crooked, disjointed streets may be avoided. In many cities, the separate real estate additions show their boundaries by jogs in the street where the real estate owners have done as they pleased in planning streets, without reference to the streets of the city, just to satisfy their greed in getting the largest number of city lots possible from their land.

**Planning Cities.**—The city of Washington is our model city from the standpoint of planning. It is well that this is so because it is the one city



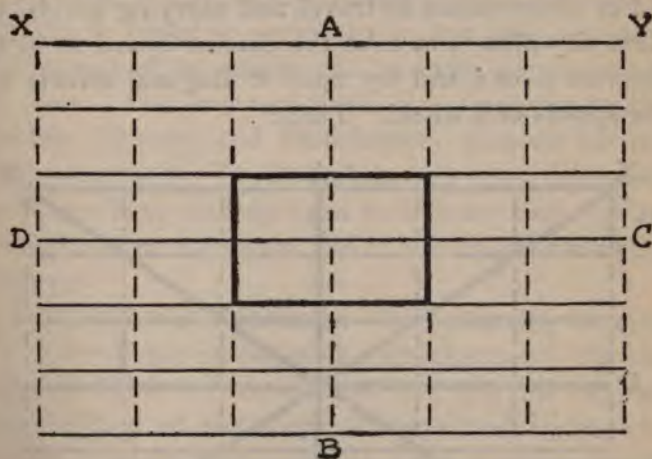
Bad Houses



Plan of Washington, D. C., as it will be when completed



which all the people of the country claim as their own. The plan is due to George Washington who was president when the city was laid out. He called to his aid General L'Enfant a French engineer who had served with Washington in the Revolution. L'Enfant visited the cities of Europe to study their plans. He laid out a city which in the arrangements of its streets, parks and spaces for public buildings is ideal. He planned for the future. His plan was on



a great enough scale to provide for a city many times larger than any city then existing in this country and it will probably be adequate for the future growth of the city.

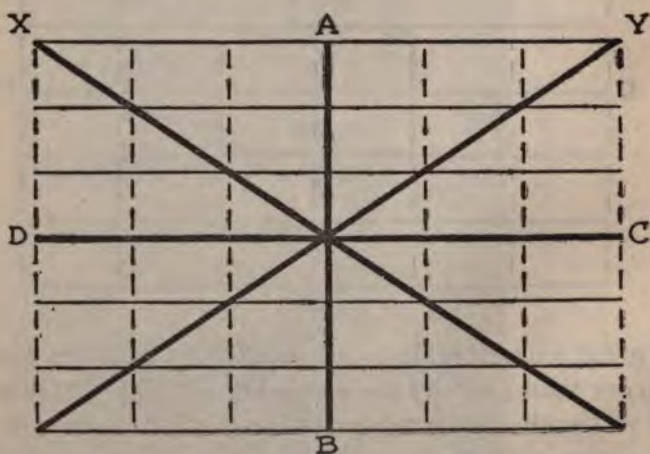
Nearly every city is laid out on the plan of a checker-board. Streets cross one another at right angles and there are few diagonal streets. The diffi-



culties of this arrangement in getting in and out of the city are very great as will be seen in the diagram.

Let us suppose that the main business section of the city is in the center of the diagram. It would be in a direct line over streets A to B or C to D to the center, but if a person desired to go from any point such as X or Y to the center he would have to travel in every case a long distance to get to a street leading to the center.

For convenience in travel and carrying goods, the ideal city plan is to take the checker-board as in the diagram above and lay upon it diagonal streets like the spokes of a wheel. Thus:



The center in this arrangement of streets can be easily reached by means of the four streets at right angles and the four diagonal streets.

Very few cities have such a plan. The older cities in the eastern states are generally laid out irregularly with crooked streets or else on the checker-board plan following the example of Philadelphia which was laid out in that form by William Penn. Indianapolis is one of the best examples of a proper arrangement of main streets, having a plan similar to the last diagram with a circle in the center.

Many large cities which followed the checker-board plan have found it necessary to cut new streets at immense cost to enable the business of the city to be done. The proposed plans of several great cities, notably Chicago and Philadelphia, provide for new diagonal streets. To cut such streets where expensive buildings have already been built is an immense and costly task, yet each year that it is postponed increases the cost.

**Railroads and Terminals.**—The planning of cities for convenience includes the arrangements for railroads and interurban railroads entering the city, and the building of passenger stations and freight terminals. Many cities have not given attention to this matter and yet it is of the greatest importance that the railroads be most conveniently arranged for quick and cheap transportation of people and goods. The well planned city makes provision for railroads to enter at certain convenient places. A central passenger station is provided with ample facilities to handle all the passengers and yards sufficient to enable cars and trains to be handled without delay.

A clumsy arrangement by which even a few minutes are lost each day by passengers means a tremendous total for all passengers coming into and going out of a city.

Freight and express terminals are equally important. If the arrangements are imperfect and clumsy, expense is added to every car of goods coming into and going out of the city. This expense is a tax. New Orleans has recently built a great freight terminal. Before it was built, it cost considerably more to handle a car of freight in or out of the city than it does now.

It is the duty of every city to plan for such terminals. Delays mean added cost. Not to make such arrangements means that the city taxes its people for every extra dollar of cost necessary to handle goods or people in and out of the city. The same statements apply also with reference to the building of wharves for water traffic in all cities having a harbor.

**Providing for Street Traffic.**—Another necessity in planning is to provide for street traffic with the greatest ease and least expense. In the large cities this is a problem of building subways, elevated roads, and providing for suburban train service. In the smaller cities, it means the extension of street-car lines and the routing of the cars so as to bring every one within reach of the principal parts of the city and prevent crowding on any street. Every means possible should be used to make it easy and cheap for people



to get about, as well as to come into and go out of the city.

**Making Cities Beautiful.**—The modern plans of the cities have also as an object the beautifying of the cities and the convenient grouping of the public buildings. Several cities have developed what is known as the civic center where are grouped the city hall, public library, court-house and other government buildings. Cleveland, San Francisco and Denver have begun the building of such a center while many cities have plans which look forward to such an arrangement. The plans for beautifying the city provide, also, for parks, boulevards, playgrounds and small open spaces.

Progressive cities are reaching out in advance of growth and buying great tracts of land which can be turned into parks and playgrounds. The streams in and about many cities are being beautified by placing boulevards and parks along their banks. The railroad entrances which are frequently the most unsightly parts of our cities, are being parked so as to give a pleasant impression. Ugly buildings are being bought and torn down and the open spaces are turned into parks. Mulberry Bend, one of the worst congested districts in New York where nothing but shabby tenements existed, was bought a few years ago by the city. The buildings were torn down and the place is now a beautiful spot where the people of that crowded section may have a breathing space. Every city which tries to serve its people is remov-

ing such eyesores and letting a beauty spot take their place.

The expense of such work has always been a great drawback. To buy such valuable property as is often necessary takes vast sums of money. The cities have been kept from extensive work of this sort on account of the expense. But recently a plan known as "excess condemnation" has been put into use in several cities. By this plan the city buys up land adjoining that which it intends to retain and when the value has been increased by improvement, the extra land is sold at a profit. The entire cost of building of parks and boulevards may often be paid in this way without cost to the city.

**Bill-Boards and Height of Buildings.**—Cities are also attempting to improve their appearance by prohibiting unsightly bill-boards and by requiring some uniformity in building lines so that the appearance of a street shall not be "straggly." The height of buildings is limited in some cities. Monument Circle in Indianapolis is protected from unsightly high buildings by a requirement that no building on the Circle shall be more than two hundred feet high. New York and Chicago and other cities have ordinances limiting the height of buildings.

**Municipal Art.**—A few cities are looking to artistic decoration of the streets and public buildings. Artistic street lighting, street signs, monuments and other works are receiving attention. In several cities no monument or other work of art is allowed to be



set up unless it is approved by a board usually known as an art commission.

**Housing.**—All of the work of city planning has for its object the furnishing of a fitting place for the homes of the people. The crowding of people makes living more difficult and dangerous and the city must see that as far as possible such evils and dangers of city life are removed.

By a scheme of city planning a great deal of the congestion of a city is removed. When it is possible for people to get to their work quickly and cheaply they can live farther out and in places around which there is plenty of light, air and space. In the larger cities, however, the very best means of traffic can not remove the congestion. Pressure for space crowds the people together. Several houses are built on the space where one stood before; several families live in the same house; many people are often found living in a single room. The tenement comes and people live tier above tier in the narrow rooms, without sunlight or sufficient air. Rents rise and more people crowd into single rooms in order to divide the expense. Diseases spread and children, especially, suffer.

Conditions like those described above exist in some parts of nearly every city. But the people of cities are beginning to see the dangers of letting human beings live in that way. People living under such conditions, whether through ignorance or necessity, are unable to protect themselves, and all of the people

join in the common cause of protecting them. Progressive cities are beginning to require that plenty of air, light and space be provided when buildings are being erected and they are also beginning to require that light and air be given an opportunity to get into the dark places. Buildings are being remodeled to admit light and air. Better sanitary conditions are being required, and although the people are often too closely crowded for comfort, such conditions are becoming far better.

Some cities are also building small homes in the convenient open country where street-car service is available. These places may be rented at small cost and offer a chance for good living conditions for those who take advantage of them.

**Playgrounds.**—The crowded city causes another problem to arise: that of giving the children a chance to play. Those who have grown up in the country have little idea what it means to be a child in the city where the busy street or a narrow back yard are the only playgrounds. Children must have a chance for wholesome play if they are to develop properly. The cities have only lately recognized this fact and have begun to do justice in this respect to the children.

In the country ample playgrounds surround each schoolhouse, but in the cities there are many school buildings without playgrounds. Whenever possible, however, the new building plans provide for playgrounds with apparatus for many kinds of play. The buildings generally include, also, gymnasiums and

swimming pools so that play may be continued the year round. Progressive cities are also buying up vacant lots and making playgrounds of them in the crowded parts of the city. Some cities have an extensive system of small parks within reach of all the people where, besides ample space for individual play, there are fields for baseball, basket ball, football and other outdoor sports. Chicago is a notable example of the use of small parks. Almost every part of that city has its small park. Practically all of the people can reach these parks for play. The sight of thousands of children and grown folks in them makes city life look more wholesome and attractive.

**Residence Districts.**—One of the newer ways in which the people of cities protect themselves is by setting off certain districts which are called residence districts and preventing anything but residences from being built there. Industries are given their place, also. Under such regulations, a man who builds a house is certain that an objectionable manufacturing plant, a livery stable, or garage will not be built next door to him.

**Markets.**—Food supply is the city's most important problem. Fully thirty per cent. of all that people earn is spent for food. How to get enough to live comfortably is each man's chief concern.

We have already seen that the problem is to get goods from the producer to the consumer with the least cost. Every cent added by the cost of transporting, due to bad roads and poor railroad facilities,



makes it that much harder for the people to live comfortably. When, to exorbitant costs of transportation are added the profits of the middleman, the cost of living is forced up considerably. The problem of cities is to reduce both the cost of transportation by furnishing the very best roads, streets and railroad facilities, and by providing public markets so that as nearly as may be, the producer and consumer may be brought together.

Not more than half of the larger cities of the country now have public markets. Many of those which do have markets, have merely one central market to which all must come. Poor regulations have left the markets too often in the hands of the commission merchants and the market is merely a kind of store which the city supplies at small rent rather than an open market.

The ideal market is a place where the actual producer comes with his products. The city of Des Moines which has done good work with its market requires each seller on the market to display a sign showing whether he is a producer or a huckster. This enables the people to deal directly with the producer and also keeps down the prices charged by hucksters.

**Garbage Removal.**—The large population in cities brings the problem of disposing of the waste. We have already discussed the necessity of removal of garbage and sewage to protect health. The people of a city could not live if waste were allowed to ac-

accumulate even for a short time. Garbage is disposed of in the following ways: reduction, burning, feeding to swine, dumping on land, dumping in water, burying.

The most approved method of disposal is by reduction. The larger cities use this method quite generally. In several cities contractors collect the garbage free and make their profit from the by-products of which the chief are grease and fertilizer. Many cities pay contractors for collection and the contractors make additional profit on the sale of by-products. In Cleveland and other cities, the city owns the reduction plant and makes a profit for the city in its operation.

Many cities burn their garbage. This disposes of it completely, but of course the valuable by-products are wasted. The steam produced by the plant is used in several cities to generate electric light for various purposes.

Feeding garbage to swine is quite extensively resorted to and garbage is sometimes sold to farmers for this purpose. A few cities have droves of hogs fed on garbage. Contractors generally feed a large part of the garbage they collect to hogs.

Dumping on land or in water is the favorite method of the small place or the place situated near water. This is, of course, a complete waste. Burying is also a complete waste besides having many expensive features.

**Sewage Disposal.**—Sewage disposal has usually



been accomplished by the cities of this country by dumping into streams and bodies of water and leaving it to be carried away by the current or the tides. Cities have tried various make-shift systems in order to get rid of their sewage without regard to the way it polluted the water and affected neighboring people. Many cities are now experimenting with various methods of sewage disposal. Gradually they will find, as in the case of garbage, that profits can be made by scientific processes of disposal.

The city of Berlin has reclaimed thousands of acres of poor land and made it as productive as a garden by the use of sewage as fertilizer. Their sewage farms are models of production. There is not a city in the country that could not profit by Berlin's experience.

The cities which are not situated so as to discharge sewage into streams or which are enlightened enough not to do so when such an act would harm others, have built works for the disposal of sewage, or more strictly speaking, works for the purification of sewage from disease germs and offensive odors before it is discharged into streams.

This process is one of filtration. Simple filtration is effected by letting the sewage run into large beds filled with sand and gravel. The filtration of the water through the layers of sand and gravel removes most of the solid parts and destroys most of the disease germs. The purified water is then discharged into a stream or body of water.

The septic tank is coming into use quite extensively. This is a process of filtration in which chemicals are used to destroy the disease germs. The methods employed in the cities of this country are not entirely satisfactory and efforts are being made to discover a method of sewage purification or disposal which will get rid of sewage with safety to the public health at the lowest possible cost and with the least damage to property and nuisance to people.

### QUESTIONS FOR INVESTIGATION

Make a map of your city or a near-by city showing the streets.

Does the arrangement of streets permit easy and quick entrance to the city from the whole surrounding country?

On the map of the city, indicate the railroads entering the city and the passenger stations and freight terminals. What improvements could be made for convenience?

Locate the public buildings and parks and discuss their accessibility to the mass of people.

What does your city do to make the city beautiful?

What provisions are made for playgrounds?

Are there any crowded quarters where housing conditions are bad?

Describe the method employed in collecting and disposing of garbage.

Describe the sewerage system.

Do you have a public market? If so, do the producers actually come with their goods?

What plan would you suggest to make it easier to market produce from producer to consumer?

Do you have any regulation of bill-boards?

### QUESTIONS FOR DEBATE

Resolved that the cities should buy the land which would be benefited by a park or boulevard and sell the same when the value increases from the improvement.

Resolved that the city should own and manage its public utilities, including waterworks, gas works, electric light works and street railways.

Resolved that the city should engage in public marketing so as to bring the producer and consumer together.

### WHERE TO LOOK FOR FURTHER INFORMATION

Farwell, *Village Improvement*.

Robinson, *The Improvement of Towns and Cities*.

Howe, *The Modern City and Its Problems*.

Chap. I "The City and Civilization."

Chap. IV "The Modern City."

Chap. V "The American City."

Chap. XII "The City and the Public Service Corporations."

Chap. XIII "Municipal Ownership in America."

Chap. XV "City Planning in America."

Chap. XVI "City Planning in Europe."

Chap. XVIII "The City as a Social Agency."

Chap. XIX "The Housing Problem."

Chap. XXI "Recreation and the Problem of Leisure."

McVey, *The Making of a Town*.

Sullivan, *Markets for the People*.

Debaters' Handbook, *Municipal Ownership*.

### WHERE TO WRITE FOR FURTHER INFORMATION

National Municipal League.

National Conference on City Planning.

National Housing Association.

American Civic Association.

Playgrounds Association of America.

The American City. (Published monthly.)

## CHAPTER X

### SOME RURAL PROBLEMS

We hear, on all sides, the statement that the people are flocking to the cities and deserting the country and the census figures every ten years prove the statement. The population of rural districts in many states actually decreased during the years 1900 to 1910. Iowa actually lost one hundred fourteen thousand seven hundred and fifty rural dwellers, Indiana ninety-six thousand seven hundred and thirty-two, Illinois forty-three thousand five hundred and twenty, and Ohio fifty-seven thousand one hundred and eighty-five.

**Reasons for Trend Away From the Country.—**There is more than one reason for this shifting of population from the country to the city. First, the attraction and glamour of the city induce many who do not see the unhappy side of city life, to become city dwellers. Second, the lack of practical education in the country has prevented young men from seeing in the business of agriculture as much promise as there should be for an independent life. Third, the invention of labor-saving machines has made it possible for one man to do the work of several men. The result has been that men do farming on a large





Farmers' Co-operative Grain Elevator



scale and few are trained to take up intensive farming, gardening and poultry raising; hence, they must seek other fields. Fourth, the lack of social advantages in the country compared with the city where men may find many opportunities for association with their fellows, has caused many to seek the city life. Fifth, the promise of reward for the successful in the city has been an enticing thing. The few who have succeeded in gaining wealth and power in the city have been a constant example for others to imitate.

**Dangers in Growth of Cities at Expense of the Country.**—Whatever may be our views of the advantages of city life over country life or of country life over city life, we must recognize the fact that it is a serious menace if the city increases at the expense of the country. The city will continue to grow and the country must produce more and more to supply common needs or else hardships will come. The country must, also, produce more in order that the farmers shall prosper as they should.

**Better Agriculture Needed.**—Better agriculture is the crying need. We do not produce enough per acre of crops in this country. The average yield of wheat is only about fifteen bushels per acre, of corn twenty-seven bushels, oats thirty bushels, barley twenty-five bushels, rye sixteen bushels, potatoes ninety-seven bushels. European countries whose soils are naturally no better than our own and which have been cropped for thousands of years produce much more per acre than this country. Germany



Farmers' Co-operative Grain Elevator



Demonstrating to Farmers



gets twenty-eight bushels of wheat per acre and England thirty-five bushels. Germany produces two hundred bushels of potatoes per acre. In fact, only Russia is behind us in the scale of production among the great nations.

**Training for Better Agriculture.**—The people of the whole country are interested in this problem of production of crops because the people must be fed. They are interested, too, because good crops mean prosperity for all, as well as a better country life. Long ago, far-seeing statesmen saw the danger of poor agriculture and set about to prevent bad results. Schools of agriculture were established. Then, state colleges of agriculture came as a result of aid by the federal government. Next the nation provided for experiment stations in the states where the best farming methods could be tested out. These have been a great help in promoting the scientific study of agriculture. The next step was to provide for extension work by which the knowledge gained by experiments and practise could be carried to the farmer on his own land. The farmers saw by practical demonstration that the soil could produce much more if properly prepared and if the seed was properly selected and the soil properly treated. Very good results from these educational methods have been secured and hundreds of men are now engaged to inform the farmers of the best agricultural knowledge and practise. Hundreds of counties employ an official known as the county agent, a man trained in scientific and

practical farming, who is the free counselor of the farmers who want his service.

**Frauds Against Farmers—Fertilizers.**—The people have taken positive steps also to prevent fraud against the farmers in the sale of fertilizers, feeding stuffs and seeds. When soils first began to show signs of exhaustion, there was created a great demand for fertilizer. Immediately, dishonest men found a chance to make money by fraud. The farmer did not have the equipment to test his fertilizer and he never knew whether he had actually received honest fertilizers. Worthless stuff was mixed to add weight, and the farmers suffered. Then the people in many states took a hand and made provision for testing all fertilizers publicly. They made it a crime to sell misbranded fertilizer, and they required that the brand state the materials in it.

**Feeding Stuffs.**—The same conditions with reference to feeding stuffs for cattle resulted in laws which required such materials to be branded showing exactly the properties of each article. Any person may take a sample of feeding stuffs and have it tested by the agricultural college or experiment station and if it proves false to the brand may cause the seller to be subject to a fine.

**Seeds.**—Likewise with seeds. The farmers in purchasing seed, particularly grass seed, have suffered severe losses in the quality of seed and in the weed seeds often mixed with timothy and clover. It is a severe loss in either case and one that can not be re-



paired. When seed does not grow the crop is lost for the year and when the seed of noxious weeds gets into the soil, permanent harm is done. Some states attempt to prevent these losses by requiring seed to be sold only after tests which show that the seeds will grow and that they do not contain noxious weed seed.

**Weed Cutting.**—Further protection against losses is offered by laws which require the cutting of weeds before the seed ripens and is scattered over new ground. Many states require the cutting of all weeds on the public highway. Some require a man to cut Canada thistles and other bad weeds on his land during certain periods.

**Necessity for All to Act.**—It is plain that to get protection in these matters of fertilizers, feeding stuffs, seeds and weeds, all of the people must act together. One man can do little against the frauds which are put out; and in the case of weeds, the efforts of one man would be futile if his neighbors allowed weed seed to grow and be scattered by the wind.

**Insect Pests and Animal Diseases.**—Severe losses are suffered by the farmers through insect pests and animal diseases. Probably two billion dollars a year are lost from these causes. One man or a few men can not cope with such enemies. The states and the nation have been constantly employed in studying methods of prevention and have succeeded in finding means of preventing the worst pests and diseases. When a disease or pest gets started, drastic action

must be taken in order to stamp it out. Quarantine and wholesale killing of animals are often necessary to stamp out a disease such as the foot and mouth disease. Drastic action is needed, also, to stop the ravages of pests. In these cases, also, a few men would be helpless. Nothing but the power of many people can stamp out diseases and pests and save the billions of property endangered.

**Marketing Crops.**—We have, thus far, been speaking of the problem of producing bigger and better crops and protecting them from losses. This is important but it is equally important that means shall be provided for getting the crops produced into the hands of the consumer with the least expense and waste. The farmer would have little interest in producing larger crops if his profits from them were not increased. Some way must be found so that larger profits shall come to the producer and lower costs to the consumer. As it stands now, the producer does not get a fair profit and the consumer has to pay more than he can afford. The channels through which crops are carried from the producer to the consumer are too expensive and too many people are taking toll from the proceeds. Our system of marketing is clumsy and wasteful. Crops rot on the ground in the country because the price is not enough to pay for gathering; while a few miles away in the cities prices are so high for the same articles as to discourage buying. It is not an infrequent case to find apples selling at five dollars a barrel in the city while

the producer is not offered enough to pay him to pick his fruit. If foodstuffs were sold at a fair price, the demand would increase and take care of the surplus. The middleman who is interested only in profits does not look after the interests of the people most concerned—the producer and consumer—and he does not seek to bring about better conditions.

**Cooperation.**—To meet this condition the problem is being attacked from both ends. The cities are providing markets and other facilities to get food direct to the consumer and the farmers are slowly building up cooperative organizations to handle their crops. When the two are worked out fully, we shall have these needed results. First, the producer will get a fairer share for his labor; second, the consumer will be able to live more comfortably on his income; and third, the large waste which the present clumsy methods entail will be prevented.

There are many difficulties, and cities, states and the nation are all studying the problem and helping in its solution. The fruit growers of California, Oregon and Washington, the dairymen of Wisconsin, and grain producers in several states have been highly successful in their cooperative marketing and there are many examples of similar successes. There are also many examples of failures and great care is needed to see that the plan is correct and that it is managed by men capable of making it a success.

**Transportation.**—The problem of markets is dependent upon the question of roads and the cost of



transportation on railroads and interurbans. We have already seen the importance of these agencies in the exchange of goods. Their importance is simply emphasized here because of their intimate relation to the cost of living. When a system of roads radiating from a city is kept up so that goods may be hauled at the minimum cost per ton mile, and a system of city markets open to the producer is provided, the problem of getting the principal articles of food from producer to consumer will be solved.

**Rural Credits.**—The last problem of the farmer to be discussed here is that of his banking facilities. Business to-day is based upon credit. "Rural credits" is the term applied to the banking business of the farmer. A business concern borrows money at the banks and as the profits come in, the money is repaid. This credit is necessary to him because some time passes between the time that goods are sold and the receipt of the money. Many concerns manufacture several months in advance of delivery. The banks supply the need for money to carry on the business.

The farmer puts his own money and labor into preparation for a crop and waits until the harvest for his return. He has need for banking credit to pay his bills, but such credit has not been so available to him as it has been to the business man or the manufacturer. He could undertake much more work and produce better results if he had the capital at hand.

In the purchase of land, the farmer is seriously handicapped, especially in the poorer regions. There

are sections where it is hardly possible to secure a small fraction of the value of the land on a mortgage loan—yet land to-day is the most stable investment. The farmer can not generally buy land because he is compelled to pay in many cases nearly the whole of the purchase price at once. His need is to have some sort of a credit system by which he can buy and own land and pay a reasonable amount per year until his debt is paid. European countries have provided means by which this may be done. We have done little thus far, but the states are taking steps to provide means of giving proper credit to farmers through banks so that they can finance farming operations and the purchase of land. The national government is taking steps also to establish a suitable scheme and at an early date this urgent need will be met by the people who will act together through their governments to do it.

#### QUESTIONS FOR INVESTIGATION

If there is a tendency in your community for the young folks to leave the country for the city, what are the reasons?

What is the average yield of different farm crops in your community?

Has there been any improvement in the yield of farm crops recently, and if so, why?

Point out the dangers to this country in the low average production of farm crops.

Why should the people, through their governments, take steps to improve crop yields?

Discuss the value of testing fertilizers, seeds, feeding stuffs, etc.



Why should or should not farmers cooperate in marketing their products?

What causes of failure are there in cooperative work?

What advantage would it be to the farmer if he had the same opportunities for credit that the manufacturer has?

Show the relation between the prosperity of the country and that of the city.

What provision is made for the testing of fertilizers in your state? Get a sample of the tag used as a label.

What provision is made for the testing of feeding stuffs for cattle? Get a sample of the tag used as a label.

What is done to test seeds?

What weeds are common on the farms in your vicinity?

Give all of the reasons which you can give in support of a law to compel all farmers to cut weeds on the farms and on the roadside before they go to seed.

What insect pests damage crops in your vicinity? What does your state and community do to prevent such pests?

Where do the farmers of your community market their crops?

Trace the products from the farm to the consumer.

In many places the farmers use the parcels post to send products to city customers. Does that method prevail in your community?

### QUESTIONS FOR DEBATE

Resolved that the farmers should organize cooperative organizations to sell their products and to buy their necessities.

Resolved that agricultural education should be introduced into all country schools.

### WHERE TO LOOK FOR FURTHER INFORMATION

Bailey, *The Country Life Movement*.

Waugh, *Rural Improvement*.

Coulter, *Co-operation Among Farmers*.

Benson and Betts, *Agriculture*.

Burch and Nearing, *Elements of Economics*.

Chap. XVII "American Agriculture."

Chap. XVIII "Soil Fertility."

#### WHERE TO WRITE FOR FURTHER INFORMATION

United States Department of Agriculture.

State College of Agriculture.

State Experiment Station.

County Agent of Agriculture.

## CHAPTER XI

### LENDING A HELPING HAND

All persons who are able to do so are expected to work to earn their living. Each person must generally rely upon himself for the means to live, and to be clothed and sheltered. There is no place for the person who is able-bodied and does not support himself. Society expects every one to do his part.

**The People Take Care of the Unfortunate.**—There are persons who, from causes which they can not help, are not able to take care of themselves. Some inherit physical weakness which prevents them from being self-supporting; others because of accident or disease are not able to work enough to earn a living; others, through misfortune or old age, are dependent; while still others have performed some service which merits care in their old age or disability.

It is a pleasant thought that the people are always found to be generous in their treatment of all who are not able fully to take care of themselves. While each person pursues his own selfish ends, all are humane enough to lend a helping hand. Everywhere it is common among us to help others in distress, and the amount of kindly service given by generous neighbors and friends to the needy is a fine testimonial that

we are really a neighborly lot of people. As individuals, we do much; but as a body of people, organized through government, we should aim to lessen distress of all kinds and to help all to better things, and to enable people in distress to help themselves to get a new start in life.

**Means of Caring for the Unfortunate.**—The people maintain many kinds of work to care for the weak and unfortunate. Whereas, formerly, a cruel world left many to suffer, now almost everywhere in this country means are provided to care for the weak and to lend encouragement and help to those who may not be able to help themselves.

Chief among the things which are provided are:

Special care and protection for children.

Homes, schools and asylums for the afflicted such as the blind, deaf, insane and feeble-minded.

Hospitals for the sick and injured.

Pensions for those who have done some good service.

Insurance against old age, sickness, accident and unemployment.

Poor relief, outside of institutions.

**Care and Protection of Children.**—The work done for the care and protection of children is the finest charitable work performed. It should be extended in every way to make sure that every child has a chance to grow up strong and healthy and with an

education which will enable him to succeed. When all children are properly cared for and protected, there will be far less need for help in later life.

The ways in which progressive states and cities have begun to care for children are numerous.

Many states have laws requiring that every baby's eyes must be treated at birth to prevent blindness. Probably thousands of persons who are now blind would not have been blind if that had been the law in all states years ago. These new laws are saving thousands from future blindness.

When children go to school, they are in many places under constant care of physicians and nurses. Diseases and defects which might be very injurious, if left alone, are discovered and prevented. Thus, many are saved from being blind, deaf and diseased. The children are taught how to take care of their eyes, ears and teeth. They are thus given a better opportunity to grow up well and strong, and thus to become good citizens.

Extra care is taken to make sure that the milk supply furnished in the cities is fit for the feeding of babies. An effort is made in every city to see that milk is pure. The process of pasteurization is resorted to and sometimes required. Pasteurization is a process of heating milk to a certain temperature which destroys all disease germs. The number of babies saved by the pure milk work is enormous, but greater care everywhere would save thousands more.

When children leave the school to go to work, the



community care goes along with them. In almost every state, laws have been passed to prohibit child labor before the child is fourteen years of age. In several states the limit is sixteen years. These laws simply recognize that if a child goes to work too early he weakens his body, fails to get an education, and prevents his own later success. Extra care is taken under the laws to prevent children from working around dangerous machinery and in insanitary and immoral places.

Orphan and dependent children are cared for by the states and cities. More and more, the effort is made to find homes for such children. In every state, there are private or public organizations engaged in finding homes for children. It means a great deal to the orphan child to be placed in a good home and many kind people are made glad by the adoption of some homeless child.

Not only are children cared for and protected by the community when they are homeless, but the people in many communities see that a child is not permitted to live under conditions which are harmful. If parents or guardians are shiftless, drunken or cruel, the people, through the juvenile court, step in and take the child away after proving that the parents are not fit to rear the child properly.

The duty of the community to its children is thus enforced in many ways. Love for little children and pain at their distress prompt many good deeds; but the people see in this work a great advantage for the

future of their children. A healthy happy child has a good chance of becoming a helpful law-abiding citizen.

**Homes and Hospitals for the Afflicted.**—There was a time when every person who was unable to support himself was sent to the local poor house. The blind, insane, feeble-minded, epileptic, consumptive and other diseased persons were kept together. Perhaps there are communities where this is still the case, but it is hoped that they are few. Enlightened communities have long recognized that cases of insanity, feeble-mindedness, epilepsy and consumption need special treatment and they have established special institutions for each of these classes of unfortunates. Nearly every state has its state insane hospitals where the best care is given to the mentally sick people. Many states have epileptic hospitals and tuberculosis hospitals for the care and treatment of patients. Many have provided homes and schools for the blind, deaf and dumb where special care is given, and simple means of livelihood are taught. There are also many institutions for the feeble-minded and asylums for the treatment of drunkenness. The poor houses still exist as local institutions. They care for the old and needy, but they are becoming more homelike in their methods and the name "Old People's Home" is taking the place of the unhappy term "Poor House."

**Care of the Sick and Injured.**—Many communities care for their sick and injured by means of local hos-

pitals. Private philanthropy has done a great deal to relieve distress. Church organizations and philanthropists have established hospitals and medical dispensaries and have often done the work which the community would otherwise have to do. Every city of any considerable size now has its hospital supported by charitable people or by the city. Wherever private charity does not provide for hospitals, the cities should. Such institutions help all persons. The rich and the poor get care which would otherwise be impossible and since health is so great a public concern every means of promoting it should be provided. Everywhere, the tendency is to do more than merely treat the cases as they come. Home nursing is being organized through a system of following up cases to prevent the return of the disease.

**Temporary Care and Help.**—If all of the means of lending a helping hand described above were put into force, there would be few cases left of distress which would need relief. At present, however, there are many cases which need temporary care. Various ways are provided to help people in trouble. Since we have no scheme of sickness and unemployment insurance in this country it happens that there are many instances where people must be helped directly. Private charities do a great deal and the charity organization societies in the larger cities seek out the worthy cases for relief. There are left many cases which the township or county poor officers have to take care of by giving food, clothing or shelter. The

danger in all charity work is that unworthy persons, who are able to support themselves, will be aided. And it takes expert and trained workers to prevent fraud.

In times of serious accidents, floods, epidemics, fires and other calamities all the agencies, private and public, are strained to give immediate relief. These are times which bring out the better side of men. Unselfish aid at such times shows a fine spirit. In times of great disaster the American Red Cross is usually called upon to take charge of the relief work. The wonderful work of this organization should be familiar to all.

A favorite form of relief is the municipal lodging house where men and women may get a meal or a bed for a small sum which may be paid in work. Where such an institution exists, no worthy person needs to suffer.

**Pensions.**—Pensions should hardly be classed among charities, for the idea of a pension is that it is a payment for some good service performed. The most familiar type of pension is that for soldiers and sailors who fought in our wars. The federal government pays pensions to its soldiers and sailors and their dependent wives and children. Many of the southern states likewise pay pensions to the soldiers who fought on the side of the South in the Civil War.

Nearly every large city pensions its policemen and firemen when they are disabled or after long service. The policemen and firemen risk their lives in the



service of the community, and they are entitled to a reward from the community. Men are by this means encouraged to enter these hazardous employments, and the community has this honorable way of treating its faithful servants when they are not able to do regular work. Usually the allowance is about half the regular pay but a part of this is generally made up from payments made each month to the fund by the policemen and firemen.

Teachers' pensions are also provided quite generally in this country by the states and cities. Men and women who devote long years in the cause of education at low wages, are entitled to special consideration. The fund is made up by the teachers with the assistance of the city and of the state in cases where state wide pension systems exist. Thus, after long service, teachers may retire on a pension which is usually high enough to provide for them. By this means, too, instead of discharging them, the cities are able to retire teachers who are no longer capable on account of age or disability to do their work.

In the last few years, mothers' pensions have become popular and nearly all the states now have mothers' pension laws under which worthy mothers whose husbands have died or mothers who have been deserted are given a certain amount each week to help them care for their children. By this method the mother is paid by the pension to take care of the children. It is far better to keep the family together



in this way under the care of the mother than to have it broken up on account of the inability of the mother to support the children and care for them herself. In all cases it is customary to grant such a pension only after it is shown that the mother is capable and worthy of trust. Fraud is in that way prevented.

**Social Insurance.**—There are some misfortunes which are bound to come and others which may come to all of us. We guard against them as best we can, but not all succeed in being prepared when they do come. Every one grows old. Some are able to save enough to care for themselves in their old age and others have relatives and friends to care for them. Many have not been able to save and have no means of support. After a worthy life, they may be dependent upon charity.

Likewise in the case of sickness or accident or unemployment, some are prepared while others are not. The blow comes and distress follows. The remedy for such conditions is a scheme of insurance against old age, sickness, accident and unemployment whereby each person contributes during his working days and is insured against want in old age, sickness and accident or when he is out of work. By this means, each is helped, by all, to bear the extra burdens. Almost everywhere in the countries of Europe and two-thirds of the states of this country, laborers are insured against accidents. When the same system is applied to the other calamities of life every person may feel more secure about his future. Thrifty

people are providing for themselves by insurance but all should be prepared in this way for calamities.

### QUESTIONS FOR INVESTIGATION

What are the principal ways in which your state and community protect and care for children?

Write all of the reasons which justify extensive work in protecting and caring for children.

What state institutions are there, in your state, to care for defective people?

What are the advantages of state insane asylums over local insane asylums?

What is the difference between pensions and charities? Are mothers' pensions a pension or a charity?

How would you justify the expenditure of the people's money to help pay pensions to: (a) soldiers, (b) firemen, (c) policemen and (d) teachers?

Give reasons for and against old age pensions.

Have there been any recent times when large numbers of men were unemployed and could not find work? What was done to relieve the situation? What would you suggest as a means of handling such situations?

Is it advisable to feed tramps who ask for a meal?

Make a list of all the means of helping the unfortunate in your community.

What are the provisions of the law relating to child labor in your state?

Find whether your state or city has a teachers' pension law. What are its provisions?

Does your city give pensions to policemen and firemen? Give an outline of the provisions for each.

Charity organization societies in cities spend a great deal of time investigating cases before relief is given. Show why this is the best policy.

What should be the chief aim of charitable work?

## QUESTIONS FOR DEBATE

Resolved that provisions should be made for insurance against old age.

Resolved that young people should not be allowed to work in factories, shops and stores until they are eighteen years of age unless the employment in which they engage has been approved by competent public authorities.

WHERE TO LOOK FOR FURTHER  
INFORMATION

Warner, *American Charities*.

Seager, *Social Insurance*.

Davis, *Field of Social Service*.

Debaters' Handbook, *Mothers' Pensions*.

Debaters' Handbook, *Compulsory Insurance*.

WHERE TO WRITE FOR FURTHER  
INFORMATION

State Board of Charities or similar board.

Russell Sage Foundation.

U. S. Children's Bureau.

American National Red Cross.

National Conference of Charities and Corrections.

## CHAPTER XII

### CONSERVATION

In very recent years, we have come to see that land, minerals, waters, forests and other natural resources are limited. In earlier times, no effort was made to save them for there appeared to be more than all could possibly use. The discovery that the demands of increased population and enormous waste were rapidly exhausting our stocks turned attention sharply to the question of conservation which means saving for wise use.

**The Governors' Conference in 1908.**—The governors of all of the states met with the president at Washington in May, 1908, to consider this important matter of conservation. From that date, the idea of saving spread over the country and nearly every state created a special commission to study the subject and to point out ways to save the natural resources.

The governors said in their resolutions, "We declare the conviction that the great prosperity of our country rests upon the abundant resources of the land chosen by our forefathers for their homes.

"We look upon these resources as a heritage to be made use of in establishing and promoting the

comfort, prosperity and happiness of the American people but not to be wasted, or needlessly destroyed.

"These natural resources include the land on which we live and which yields our food; the living waters which fertilize the soil, supply power, and form great avenues of commerce; the forests which yield the materials for our homes, prevent erosion of the soil and conserve the navigation and other uses of the streams; and the minerals which form the basis of our industrial life and supply us with heat, light and power.

"We agree that the land should be so used that erosion and soil wash shall cease; and that there should be reclamation of arid and semi-arid regions by means of irrigation, and of swamp and overflowed regions by means of drainage; that the waters should be so conserved and used as to promote navigation, to enable the arid regions to be reclaimed by irrigation, and to develop power in the interests of the people; that the forests which regulate our rivers, support our industries, and promote the fertility and productiveness of the soil should be preserved; that the minerals found, so abundantly, beneath the surface should be so used as to prolong their utility; that the beauty, healthfulness, and habitability of our country should be preserved and increased; that sources of national wealth exist for the benefit of the people, and that monopoly thereof should not be tolerated."



**Two Ways to Save.**—There are two ways of preventing waste:

By educating the people to the evil effects of waste and by methods of preventing waste.

By joint action of the people through law to prevent wasteful things from being done.

The government of the nation, state and local communities are all taking steps in both of these directions to prevent waste. But a very great amount of work needs to be done and thus far, only beginnings have been made.

**Minerals.**—The conservation of mineral resources is especially important because there is a limited supply and when that is gone, there is no more to be had. At the present increase in output of coal and iron, these two most important minerals will be nearly exhausted in another century. Other minerals are also being used up at an alarming rate. Oil and gas are limited in quantity and the supply will be finally exhausted. We need, in all cases, to see that the utmost care is taken to prevent waste and, also, to see that no person or set of persons shall get control of the supply.

The federal government is studying the problems. Through the United States Bureau of Mines, waste of minerals is being investigated and valuable facts are being worked out to prevent waste in mining, and to educate the people in the use of minerals—particularly of coal. The United States Geological Survey is making a careful survey of the existing

mineral resources and is making valuable discoveries in the use of minerals.

The national government is also reserving all mineral rights in the public lands which are sold or opened to settlers. Hereafter, when a man buys land from the government, he buys it without any rights to the minerals which may be found on it. The minerals belong to the people. If that policy had been in force from the beginning, we would now have more than enough revenues, from that source, to pay all of the expense of government. It is probable, that with the development of the West, the government will derive large revenues from the mineral rights which they hold. The rich mineral lands of Alaska are reserved for the whole people by this foresighted policy.

The states are also taking a hand in saving the minerals. Through their conservation commissions and geological departments the problems of the states' resources are being studied. People are beginning to urge that laws be also enacted to require that coal be mined carefully to prevent loss.

In the case of other minerals, there is not so much loss in mining, but the limited supplies make it necessary to find substitutes of a more abundant kind. Experiments are conducted, therefore, by many government departments to determine ways of using cheaper materials.

**Forests.**—The forests were cut down in the past because the ground was wanted for farming and

because forests were not profitable. Now, we have reached a time when wood for lumber is getting scarce and the need for it is increasing. We find also that the destruction of the forests has affected the flow of the streams. Waters rush off from the cleared lands and cause floods and in dry seasons the flow is almost stopped, thus preventing the regular use of water power.

The United States government maintains a Bureau of Forestry which studies forestry work, the means of preserving forests, and the planting of new forests. Several of the states, also, have such departments. They are doing an excellent work for our welfare.

The nation and the states are also buying up large tracts of land as forest preserves. Usually these preserves are selected at the head waters of streams to preserve the flow of waters. The federal government now has sixty-three million twenty-one thousand and seventy-eight acres in such preserves; Wisconsin, four hundred thousand; Michigan, five hundred eighty-nine thousand; Minnesota, one million forty-three thousand. There is much talk of the need of laws to regulate the cutting of timber, so as to prevent unnecessary waste. Certainly, the people ought to be educated upon the subject.

Nearly all states make provisions against forest fires. Such fires are terribly destructive and dangerous. More than fifty million dollars are lost every year through forest fires. Laws are enacted to re-

quire greater care on railroads passing through forests, to prevent the danger from sparks. Hunters are restricted and persons are compelled to take extra care to put out all fires lighted. The federal government maintains rangers whose duty it is to patrol the government forests. A fire is discovered and by a system of signals, help is soon at hand. Several states maintain similar services on their forest preserves.

**Waters.**—The supply of water is not exhaustible, but its equal flow has been disturbed by the destruction of the forests. This has interfered seriously with the development of water power. The government, as we have seen, is attacking the problems through forestry.

The purity of waters is another concern, and strict laws are made by a few states to prevent dumping sewage and other refuse which pollutes the waters.

The principal matter of interest for the people concerning water is to prevent any one from getting control of water or of water power. We are rapidly approaching the time when electricity generated by water power will take the place of the steam power generated from coal. The ownership of water power is, therefore, important. The national government has recognized this and is reserving for all the people the water power sites on public lands. States are taking similar action. Sometimes we may have vast revenues from these water powers which the people own.



**Land.**—We have already touched upon the work which the governments are doing to help preserve the soil. The lives of our children depend upon the work of making soils more productive. Unless we increase production per acre, we shall soon reach a time when not enough foodstuffs will be raised to feed us.

The United States Department of Agriculture, the state departments of agriculture, the experiment stations, agricultural colleges and the vocational schools are all attacking the problem, and the extension divisions of the agricultural colleges and the county agents of agriculture are carrying the facts to the farmer. We have already discussed what this means in increased production.

In addition, the people, through their governments, are taking positive steps to prevent any one from monopolizing the supplies of fertilizer materials. The three elements, potash, nitrogen and phosphates are necessary to plant life, and the available supplies are limited. Scientific researches are showing new sources of supply, but laws are needed to prevent the waste of these precious substances and to prevent any one from controlling them.

The United States government has reclaimed many million acres of land by means of irrigation. Several western states are doing similar work. We have already seen that there are seventy-five million acres which can be made extremely productive by irrigation. There are also seventy-five million acres



now in swamps which could be drained and made into the most fertile lands. The nation and the states are both working on these problems and already millions of acres have been drained.

**Fish and Game.**—Every state in the Union is taking some steps to preserve fish and game. They do this by laws which protect fish and game and permit hunting and fishing only in certain seasons, and by providing for hatching fish and breeding game for the purpose of restocking the streams and fields. If it were not for this work, in many parts of the country, fish and game would no longer exist. The federal government is also taking a part in doing the same work. The United States officials cooperate with state officers and also carry on an extensive work on their own account.

Both the states and the nation have taken steps to preserve the wild birds by passing laws which prohibit the killing of such birds. In 1913 Congress passed an act called the Migratory Bird Act which prohibits the killing of certain birds known as migratory birds.

**Plant Diseases.**—We have already discussed at length the prevention of insect pests, animal diseases and weeds. The states do extensive work in this respect through laws and through officials who study methods of prevention. There is in nearly every state an official known as the state entomologist whose duty it is to study diseases of plants and trees. He is also

charged with the duty of inspecting nursery stock to prevent the spread of plant and tree diseases. In many states he tests agricultural seeds. He may quarantine against infected nursery stock from other states. The federal government is carrying on similar work of study and inspection. Foreign nursery stock brought to this country is subject to federal inspection. This work means the saving of millions of dollars to the people. Indeed, if it were not for the work which the nation and states do to prevent animal and plant diseases, insect pests and weeds, it is doubtful if we could produce enough to live.

**Smoke.**—The problem of smoke is usually thought to be a city problem because it is there that smoke becomes a nuisance. It is really a problem in conservation which affects the whole country. An estimate has been made that five hundred million dollars are wasted every year through smoke. Smoke means poor combustion of coal. Ignorance in firing with coal and poor furnaces are the causes. Ways are known by which coal may be almost perfectly consumed without causing dense smoke.

The cities have been fighting this nuisance for some time. Many cities have smoke inspectors who enforce the laws requiring that factories shall not permit dense black smoke to be poured out. The efforts of these inspectors have not been very successful, and it is seen that the problem is one of education. When people begin to see that it means a

direct loss in the amount of coal burned, laws will not be needed to compel the installing of smoke consumers.

### QUESTIONS FOR INVESTIGATION

Write a definition of the term "natural resources."

What would be the effect if the coal supply were exhausted?

Name some substitutes for coal.

What is the meaning of the term "soil erosion"?

What example of soil erosion have you seen? What is the effect of erosion? How can it be prevented?

What is the relation of forestry to the water supply?

What work is being done by your state to aid forestry?

Do the owners of forests in your community exercise care in cutting and handling wood and lumber?

What is the season for hunting different wild animals and birds in your county?

Write to your congressman at Washington and ask for a copy of the Federal Migratory Bird Act and study the provisions of it.

What plant or tree diseases do you find in your community? What is done to prevent them?

What insect pests do you find in your community and what is done to stop the damage from them?

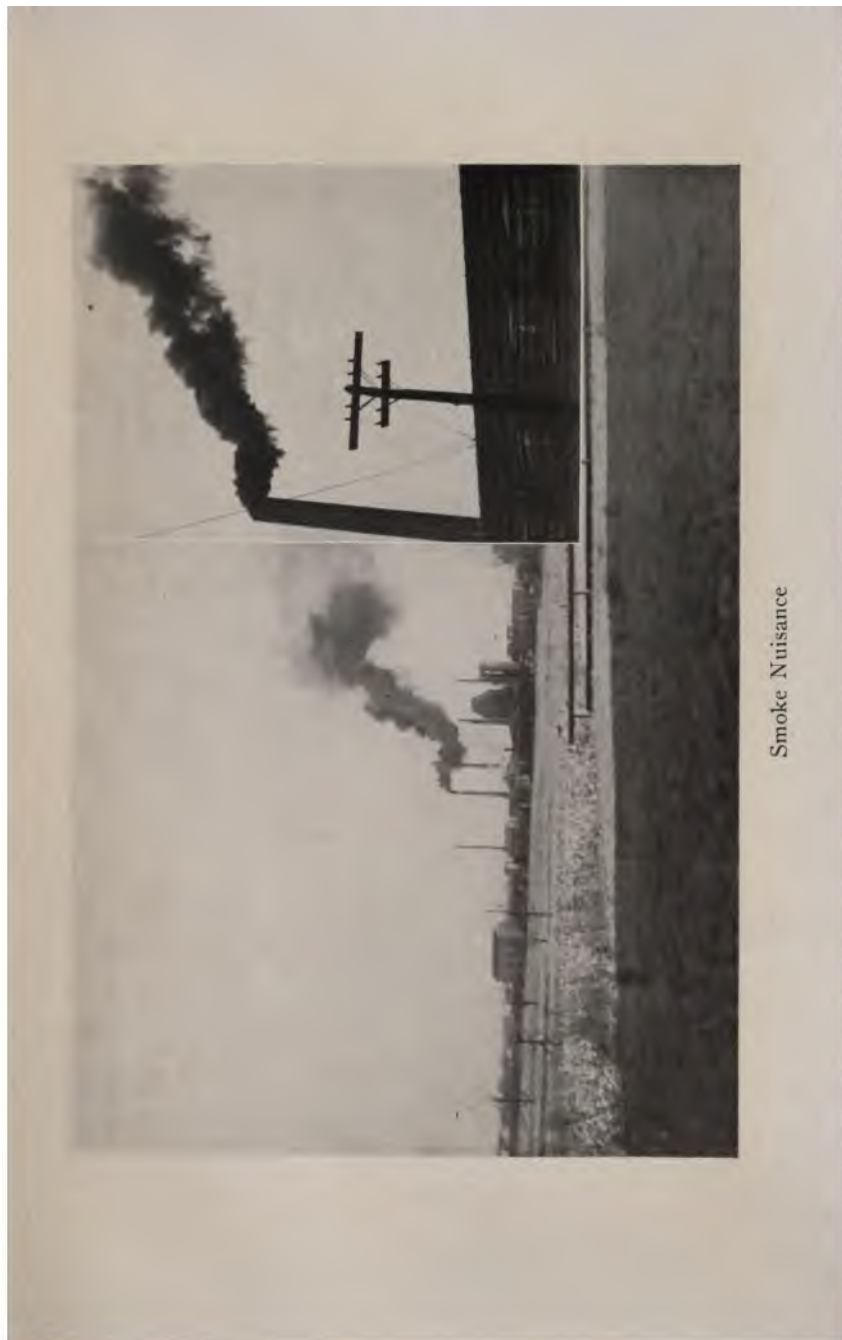
Does your city do anything to save the trees and shrubs in the city from damage from diseases, insect pests or other dangers?

Is smoke a nuisance in your city and what is being done to prevent it?

Get a copy of the fish and game laws of your state from the state fish and game commissioner or similar official.

What is the importance of saving and developing water power?

Why should the people reserve rights in minerals in all public lands which the government sells?



Smoke Nuisance





Land Erosion



Forest Fire Waste



Give reasons for the development of state forest reservations.

### QUESTIONS FOR DEBATE

Resolved that it should be made unlawful for any person to destroy forest trees by careless cutting.

Resolved that every owner of land should be required to prevent erosion of soil by every means available.

Resolved that the welfare of the country depends upon conservation of natural resources.

### WHERE TO LOOK FOR FURTHER INFORMATION

Burch and Nearing, *Elements of Economics*.

Chap. VI "Natural Resources of the U. S."

Chap. VII "Land Redemption."

Chap. VIII "Forest Resources."

Chap. IX "Water Resources."

### WHERE TO WRITE FOR FURTHER INFORMATION

U. S. Geological Department  
(Mineral Resources).

State Geologist or Geological Survey,  
(Mineral Resources).

U. S. Department of Agriculture  
(Forestry, insect pests, game).

State Entomologist  
(Plant Diseases and Insect Pests).

State Forester or Forestry Board, if one exists.  
National Convention Congress.

## CHAPTER XIII

### CONTROLLING BUSINESS

The highest ideal of this country is that all persons shall have equal rights and that no person shall have any privileges which are not given to all on equal terms. It is contrary to the American spirit voiced in the Declaration of Independence to permit inequality of rights.

**Equality of Rights.**—In an early chapter of this book, it was explained how the people prevent fraud by the crafty and strong. Many things are done for the protection of the innocent purchaser of goods to insure him a fair deal; of the depositors in banks to insure the safety of their money; of the purchaser of insurance to make sure that losses will be paid; and of the investor in corporations against clever frauds. These acts have done much to prevent losses and to give the people confidence in business.

**Monopoly.**—There are many acts which take from the people unjustly or interfere seriously with their rights. The most important of these acts is that of controlling the supply of the people's necessities and fixing at an unfair rate, the prices which they must pay. This is called monopoly.

There are several ways in which monopolies have been created.

Men have obtained possession of all or the greater part of the supply of commodities such as crude oil, copper, coal, iron and meat. In a few cases, the wheat and cotton supply have been cornered by one man or a few men.

Persons supplying or manufacturing the same articles have entered into an agreement to fix the price of their output.

Competing concerns have sometimes divided the territory and given a portion to each. Having no competition, they have charged whatever they could force the people to pay.

Competing concerns have sometimes entered into an agreement to put their profits into a pool to be divided on a fixed basis thus killing competition.

One concern has bought its competitors and thereby gained control of the entire product.

It is plain that if these practises were allowed to go on, the people would be at the mercy of a few men who controlled their necessities. Such a condition could not be allowed for in effect it amounts to plain robbery, there being no essential difference between the person who takes money outright and the one who holds up the supply of necessities and compels unfair payment.

Where the supply of raw material for the manufacture of necessities is controlled by one person or group of persons the monopoly is doubly bad, be-

cause every one is prevented from engaging in the business for lack of raw material.

**Control of Monopoly.**—Both the states and the nation have, in various ways, tried to prohibit monopoly and keep competition alive. Thus far, they have not succeeded and the price of many things which we must buy is fixed, not according to their value, but by the arbitrary will of a few persons who have a monopoly of the product.

The federal government enacted the Sherman Anti-Trust Law in 1890 prohibiting monopoly which interfered with trade. This, of course, applied to trade which passed over state lines. But the law has never been clear and therefore it has not prevented monopoly. Similar laws have been passed by the states, but the difficulty of stating clearly what is meant and avoiding interference with honest trade has made such laws of little value.

Recently the Federal Trade Commission was created by Congress to control monopoly. It is expected from this act that many of the evils will be prevented and honest business given a fair chance.

**Natural Monopoly.**—Another kind of monopoly is called natural monopoly. The principal natural monopolies are the railroads, telephone and telegraph, street railways, water, gas and electric light plants. These are called natural monopolies because, in the nature of the business, there can be but little competition. One can readily see that it would not pay to have two lines of railroad where one would

carry the traffic, or to have in a city two street railways, gas, electric light, water, telephone or other companies. Where two such companies exist it is at a loss to the public. But the people can not be left at the mercy of a single company and the government is called upon for protection.

**Regulation of Natural Monopoly.**—The attempt was first made to fix rates by law. This proved of little value because the companies usually gave poorer service. The people want good service at a fair price. They saw that to fix the price without fixing the service gave no relief. For instance, it is of no value to lower the price of gas from one dollar to sixty cents per thousand cubic feet if the number of heat units in the gas is reduced in like proportion. It is worse for the public to have railroad fares fixed at two cents if it results in poor equipment, slow service and a lack of safety.

**Railroad and Public Utility Commissions.**—Seeing these difficulties, the states and nation have created commissions which are charged with the duty of seeing that just and reasonable service is given at a just and reasonable price. The Interstate Commerce Commission has power over railroads which cross state lines. The state railroad commissions control railroads within the states. More than half of the states have created public utility commissions to control rates and service of railroads, street railroads, gas, water, electric light and telephone and telegraph companies. These commissions investigate condi-



tions and fix rates and service which are fair to all concerned.

**Labor and Capital.**—There are two main factors in carrying on the world's work—labor and capital. These two factors work together in changing raw materials into finished products. The owners of capital are the employers and the great mass of people are employees. Capital gets its return in profits and labor gets its return in wages. The total returns of industry are divided between the two. The proportion of the returns which labor and capital should get is a source of constant trouble. Labor naturally seeks higher wages, shorter hours and better conditions under which to work. The granting of these lowers the profits of capital.

**Collective Bargaining.**—In early times, wages were fixed according to the supply and demand. This condition still exists in many lines of industry and particularly in farming. There is usually a prevailing wage which is fixed by the supply of farm labor. In most industries which employ many men, this condition does not prevail. The bargain between employers and employees is not made by each man with the employer, but by all of the men acting together with the employer. This is called collective bargaining. Often, collective bargaining consists in an agreement between all the employees in an occupation and all of the employers in that occupation. Thus the coal miners of the United States through their wage committee bargain with all the owners of

the coal mines, through their committee—and fix a schedule of wages, hours and conditions for a given period for all men in the industry.

Collective bargaining came about through the trade unions which have been formed in many lines of industry. The workers in each trade have their own union and nearly all of these unions are united in the American Federation of Labor. Labor unions are found principally in the skilled and partly skilled trades. Recently large organizations of unskilled workers have been formed to assert the rights of the great mass of unskilled laborers.

**Strikes.**—The conflict of labor and capital over wages and conditions of work often results in strikes. The men refuse to work for the wages or under the conditions offered by the employers and the employers refuse to meet the conditions demanded by the workers. The men go on a strike, i. e., refuse to work and the contest continues until one side or the other gives in or a compromise is reached. In the meantime the public, which is dependent on the industry, suffers. The employers lose their trade and profits and the employees their wages. Strikes are often accompanied by violence and bloodshed, particularly when the employers attempt to put new men at work in place of the strikers.

A strike of railroad or street railway men usually results in serious inconvenience and loss to the public. Ordinary business can not be conducted when the arteries of travel are stopped. For that reason, the

public takes greater interest in means for settling strikes on public utilities than they do where the strike does not affect them so seriously. We shall see later how special means are provided to settle such strikes. There are other strikes no less harmful to the public, such as a strike of coal miners, teamsters, or freight handlers. A strike of the coal miners means the tying up of one of the people's necessities. Serious hardships result from interference in the regular supply of coal. The work of a city may be almost wholly tied up by a strike of teamsters and a strike of freight handlers, particularly the freight handlers on the docks—the long-shoremen—cripples business seriously because it stops the progress of transportation and exchange.

The results of strikes are so serious to all concerned that steps have been taken to prevent them from occurring and to settle those which do occur. Employers and employees in many lines of industry are preventing strikes by means of trade agreements under which all disputed points are settled by agreement or adjusted peaceably.

**Profit Sharing.**—The scheme of profit sharing is also used to keep men satisfied. Under this plan, the men are paid their regular wages and are given a percentage of the profits. All have an interest, therefore, in working together under this plan.

**Arbitration and Conciliation.**—The people also take a hand in serious labor troubles through boards of arbitration and conciliation. The best known of



these plans for preventing strikes in this country is the federal law of 1913 which provides for settling railway strikes. Under this plan, when trouble occurs the commissioner of mediation and conciliation confers with both sides and tries to get them to come to an agreement. If he fails in that, he tries to get the matter presented to a board of arbitration consisting of two from each side and a fifth appointed by the first four. If he fails to get an agreement to arbitrate he investigates the causes thoroughly and gives the facts to the public.

Many of the states have adopted laws of a similar kind, but they have not been successful to a great degree because of the difficulty of settling disputes after a quarrel has been started. The most successful way to handle matters of this character is to prevent the causes, and this can be done by creating a fairer understanding between employers and employees. Mutual agreement is more effective than law. Such agreement can come only when each understands the other and the spirit of the fair deal prevails.

**Regulation of Labor Conditions.**—We have seen that through agreement in many occupations the wages, hours of labor and the conditions of labor are fixed by collective bargaining. What the men in these occupations gain for themselves, government is called upon to give to others. Hours of work in unhealthful or dangerous occupations are often fixed by law to protect the workers and the public. Laws

have been passed in several states limiting the hours which women may work in industry, to eight or nine. Many people advocate an eight hour day for all workers.

**Minimum Wages.**—In general, the matter of wages has been left to agreement between employers and employees. Recently, however, there is a movement which seeks to fix a minimum wage which must be paid to workers. The idea has been put into operation in a number of states by the creation of boards with power to determine what is a fair minimum wage for women workers and compel its payment. Some foreign countries have such laws applying to all workers. The theory of such laws is that an industry which can not pay its employees a wage high enough to enable them to live on is not fit to exist.

### QUESTIONS FOR INVESTIGATION

What is the meaning of the term monopoly? Natural monopoly?

In what ways do people obtain a monopoly of certain products?

Why is it necessary to prevent monopoly?

Why is it not good policy to have two railroads between two points when one railroad would carry the traffic?

Why is it best to have only one water company in a city? Gas company? Street railway company?

Show the need for some authority to regulate rates when a company has a monopoly of any necessity.

Why is it necessary to regulate service as well as rates?

In comparing rates charged for gas, electric light, water and street railway in different cities, what conditions should be taken into consideration?



Why is it necessary to regulate railroad rates? Is it fair to fix a rate of two cents a mile for passenger service on all railroads in a state?

What is the meaning of the term collective bargaining?

Show why collective bargaining is necessary if the workers are to get fair wages.

What are the losses from strikes to the employer? To the employee? To the public?

Why are the people justified in taking action to prevent and to end strikes?

Make a list of all the strikes you have read about or know about and show how each affected the welfare of the people.

What is the meaning of the term "minimum wage"?

Should the government fix the price of products which the people buy? Give reasons.

Should the government fix the quality of goods which people purchase?

### QUESTIONS FOR DEBATE

Resolved that a minimum wage should be fixed by law for all workers.

Resolved that workers should not be employed to work regularly more than eight hours a day.

Resolved that it is better for the government to own and operate railroads and public utilities than to regulate the rates and service.

### WHERE TO LOOK FOR FURTHER INFORMATION

Burch and Nearing, *Elements of Economics*.

Chap. XXVII "Price and Monopoly."

Chap. XXV "Regulation of Transportation."

Chap. XXII "Business Organization."

Chap. XXXVIII "Experiments of Employers."

Chap. XXXIX "Experiments of Employees."

Beard, *American Government and Politics*.

Chap. XIX "The Regulation of Commerce."

Chap. XXXII "Social and Economic Legislation."

WHERE TO WRITE FOR FURTHER  
INFORMATION

U. S. Trade Commission, Washington, D. C.  
State Railroad Commission or Public Service Commis-  
sion.  
American Association for Labor Legislation.  
American Federation of Labor (for labor's side).  
National Association of Manufacturers (for the employ-  
ers' side).

## CHAPTER XIV

### KEEPING THE RECORDS

The keeping of records is a very important function of the various governments, local, state and national, which do our business. These records are of three main kinds:

Records of the official acts of the public officers.

Records of private transactions which are recorded for protection, such as deeds to property, articles of incorporation of corporations.

Records and facts about the people and their work, such as births, deaths and marriages, census of population, industries, etc.

**Importance of Official Records.**—The importance of keeping the official records of the acts of public officers has always been clear, and ample care is taken, everywhere, to preserve them. Each office keeps the documents and other records of its work and preserves them. There is, in every township, county, city, state and in the nation, one officer whose duty it is to keep the official documents under which we are working.

**United States Records.**—The secretary of state of the United States is the official who has charge of the official acts of the national government. In his de-

partment are preserved the official copies of the laws passed by Congress, the treaties made with foreign countries, the proclamations of the president, the correspondence with foreign countries, the agreements with the Indian tribes and many similar documents. These must be carefully guarded to prevent theft, mutilation and alterations. Their care is to the nation what the care of notes, contracts and insurance policies is to the individual.

**State Records.**—In the states, the secretary of state is the official having charge of the state records. In his office are filed and preserved the original copies of the laws passed by the legislature, the proclamations of the governor and agreements to which the state is a party.

**Local Records.**—The official records of the counties are preserved by the clerk of the county, known, generally, as the county clerk. In addition to the official acts of the county, the county clerk generally keeps the court records which are numerous and important. In the state and nation these duties pertaining to court records are performed by special officers known as clerks of the courts.

The city records are kept by the city clerk, the town records by the town clerk, and the township records by the township clerk or township trustee.

**Records of Private Matters.**—The keeping of records of private transactions constitutes an important part of the record keeping by the government. The most important is the recording of deeds to property,

mortgages upon property, and similar documents. A special officer is provided in each county, known usually as the county recorder, whose function it is to record deeds, mortgages and similar papers. This work is done for protection against fraud and against loss of documents. All people are thus benefited. This branch of the government service is the most used of any because almost every one at some time has something to do with the recording of some document relating to property.

**Deeds and Mortgage Records.**—The recording of deeds and mortgages is done usually by writing out the documents in full in bound record books which are carefully numbered and indexed. These records are open to the public. They serve to show ownership. Whenever property is sold, the buyer can search the records and find exact facts about the ownership of the property and any mortgages or claims against the property. If it were not for these records, no one could safely buy property because he could not find out for certain what rights the seller had in the property or what claims there might be against it. But the buyer must run his own risk if he makes a mistake in searching the record.

**Needed Changes in Recording Deeds and Mortgages.**—The vast amount of work necessary to keep these records, and the great cost in searching the record every time a piece of property changes hands, besides the risk incurred, has caused an attempt at reform to make the record keeping easier and still



make it certain and safe. A number of states have adopted the Torrens system of land records by which a simpler system of recording is provided.

**The Torrens System.**—The method used is as follows: Whenever a landowner desires to register the title to a piece of land he makes application to the registrar and deposits his deed and other papers. The registrar causes an examination of the title to be made, and if the title of the owner is clear, the registrar, after public notice, issues a certificate to the owner which briefly describes the property and the nature of the holder's title. This certificate guarantees the title to the owner. A copy of the certificate is kept in the office. Thereafter no one need go back of this guarantee to prove his title. When the property is sold, a statement is made out in proper form, and when the transfer has been noted on the recorder's books and on the certificate, the new owner has the title to the property with the government guarantee. Mortgages against the property are noted on the certificate. Thus all the search that is needed is in one book in the recorder's office. This method results in greater safety of title and saves very great expense in proving ownership. Real estate becomes a much better investment when there are no risks of titles.

**Records of Incorporation.**—The government also keeps a record of many other transactions in cases where the public has a right to know the facts in order to protect themselves. The records of the

forming of corporations are always filed in the office of the secretary of state in each state. This is an important matter because of the great amount of business which is now done by corporations. The records in the office of the secretary of state make it possible for any person to obtain information about any company in which he might be interested. In many states, every company must file full information about its work and be approved by some state official. This tends to prevent the so-called "blue sky" companies, which sometimes defraud the people. If full reports were required frequently and kept on record, the people would be further protected by being able to get information at any time about the financial standing of companies.

**Records Prevent Fraud.**—These examples serve to show what the government does to safeguard the people by having an official record of transactions about which they ought to be able to learn. All such records prevent fraud and give the people more certainty in their dealings. Without the recording of deeds, a man could never be certain of the title to his real estate and without the record of corporations many people would be misled by fictitious corporations. Without records of similar things the people would too often be at the mercy of clever schemers.

**Records of Facts About the People.**—The keeping of records and facts about the people and their work gives a constant view of actual conditions and shows what things are progressing satisfactorily; what

things need correction; and what dangerous tendencies there may be in our country. The purposes of such records are twofold. They help to guide officials in performing their duties and they serve to educate the people on the actual conditions. They serve, for the country, the same purposes as an inventory in a store. They show our actual conditions.

**Birth, Death and Marriage Records.**—Nearly all states and cities now keep records of births and deaths. The United States Census Bureau gathers the statistics of births and deaths for a large part of the country, and the help which the facts give is very great. For example, when by the statistics of deaths it is found that a large number of people die from certain causes, it points out the need for study of the causes of such diseases. When the death statistics showed the enormous losses from tuberculosis, the people were aroused, and very active work has been carried on to prevent this disease. When the figures showed that great numbers of babies died in cities and the cause was traced to the milk supply, it aroused the people to the necessity of requiring better milk. Already millions of babies have been saved by such facts. It is safe to say that a large part of the wonderful health work now being done was brought about by the startling figures in the statistics of death and its causes.

Statistics of births and marriages, besides being useful in showing the actual state of society in these respects, are very helpful public records. Birth



statistics help to enforce the compulsory education and child labor law by showing proof of age. These also help often in settling estates by proving time and place of birth and parentage. Marriage statistics are also useful in preventing the crime of bigamy and in proving rights to property by proof of marriage.

**Records of Defectives.**—The United States Census Bureau takes a census every ten years of the insane, feeble-minded, blind and other defectives. These facts usually point to the grave dangers which confront the country from these causes and positive steps for prevention are immediately demanded. The comparison with former figures shows which way we are tending.

**Fire Loss.**—The loss from fires has long been a disgrace to our country. We waste two hundred and fifty million dollars every year in fires. We have known of the waste for many years but it took the statistics gathered by state fire marshals to point out the main causes and the remedies. When it was shown that a majority of fires were caused by certain conditions which could be remedied, the remedy was soon demanded. We are just beginning to correct this great and needless loss, and the way was pointed out by the records of fires gathered by state fire marshals and city officials.

**Agricultural Facts.**—The gathering of facts regarding agriculture by the United States Department of Agriculture is an undertaking of large proportions. The conditions are shown every year and close com-

parisons are possible. The yield of crops and the average per acre are given. Monthly statements are given out to show the progress of the crops. Since business is dependent to a large degree on the crop yield, the official statement keeps down speculation by giving reliable facts. The census of crop yield also shows us the exact status of our farm wealth. We need such facts to guide our plans.

**Manufactures.**—Likewise in the case of manufactures, a census of which is taken by the United States Census Bureau every five years, we get invaluable facts about the progress of industry and of the wealth created. We also learn about conditions of labor, hours of work, wages, apprenticeship and monotony of employment, which serves as a groundwork to make possible better conditions of work, living wages and vocational education.

**Facts About Railroads, Public Utilities, Banking Insurance.**—In the same manner the Interstate Commerce Commission of the United States, the state railroad commissions and public utility commissions are gathering facts about the railroads and public utilities. These facts help us to be fair to the railroads and public utilities and to compel them to be fair to us. The Federal Reserve Board and the state bank superintendents get all the facts of banking and the facts help to guide banking progress. The state insurance departments do the same for insurance. The factory inspectors and workmen's compensation boards of the states gather the facts



of industrial accidents, and thousands are saved from accidents by the remedial measures brought about by a knowledge of the facts.

**Facts About Education.**—The United States commissioner of education is constantly tabulating the facts about educational progress. His reports form a series of annual charts of progress. Likewise for each state the reports of the state superintendent are a guide for state action on matters of education.

**United States Census.**—But the greatest of all record work is that of the ten-year census taken by the United States Census Bureau. This is the one complete inventory of people and their possessions. The work is thoroughly done. The whole country is divided into districts. At the last census in 1910 the enumerators worked fifteen days gathering the facts. Every house and home was visited and the facts gathered and put on blanks which were forwarded to Washington and there tabulated.

**Apportionment of Representatives.**—One of the chief benefits of the census is in keeping representation equal. Every ten years the members of Congress are distributed on the basis of the new figures. Members of the legislature in most of the states are likewise distributed on the basis of the new figures. This was, in fact, the purpose of the census at the beginning.

**Census Shows Conditions.**—As an agency to point out actual conditions in every field, and as an inventory of our assets, it has served a useful purpose.

The Census Bureau is now maintained as a permanent office and reports showing actual conditions are being constantly published to educate the public and guide the government in all its branches. A few of the states, also, take a census of their people every ten years but this would seem to be unnecessary because of the thorough work done by the United States Census Bureau.

### QUESTIONS FOR INVESTIGATION

What are the reasons for preserving, at great expense, the records of government work?

Why is the recording of deeds to property and of mortgages made a public matter?

What advantages are there in having the United States Department of Agriculture collect information about the progress of crops and give out regular statements?

To what official, if any, in your community must births and deaths be reported? What are the advantages of such reports? Get copies of the blanks used for reports of births, deaths and marriages.

The United States Census Bureau spent over \$14,000,000 in collecting and publishing facts in 1910. How would you justify the expenditure?

Make a report upon the exact method of recording deeds and mortgages in your community.

Visit the office of the recorder of deeds, if possible, and see how the work is done.

Send to the United States Census Bureau and ask for a copy of the abstract of the census for the use of your school.

QUESTIONS FOR DEBATE

Resolved that the method of recording deeds and mortgages is cumbersome and causes needless expenditure of time and money.

Resolved that the government should extend its work of gathering and tabulating facts about the people and their work.

WHERE TO LOOK FOR FURTHER INFORMATION

Reports of the U. S. Census Bureau.

Reports of the officers mentioned in the text.

WHERE TO WRITE FOR FURTHER  
INFORMATION

The U. S. Census Bureau.

The different officers mentioned in the text.

## CHAPTER XV

### SELECTING PUBLIC OFFICERS

It takes a large army of men and women to do all of the work which the people need to have done. Government business is, in this respect, like that of a great corporation. The people are the stockholders and they must choose the managers of their business and the subordinates since all can not engage in managing affairs. It requires an elaborate scheme to select all of the officials and employees in such a way as to hold them all strictly accountable to their employers—the people.

**The Right of Suffrage.**—The first matter to consider is: Who may have a voice in selecting officials? Who may vote? The answer varies widely in the states. In nearly all states, every man over twenty-one years of age may vote. In many of the western states all women over twenty-one years of age may also vote for all officers. In some states women may vote for certain officers but not for all. In other states, women may vote in school elections. A few states require an educational test, no one being allowed to vote unless he can read and write and understand reasonably well. A few states require a man to pay a poll or other tax before he can vote.

Several states permit a foreigner to vote if he has declared his intention of becoming a citizen.

Those who can not vote are persons under twenty-one; persons convicted of a felony; idiots and insane persons; Indians living in tribes; foreigners who have not become citizens; and women except as mentioned above. The right to vote is a political privilege which the people confer upon a part of their number. At first, the privilege was very limited. To vote a man had in early times in most of the states to be a considerable taxpayer. Gradually the privilege has been extended.

**Political Parties.**—Our next inquiry concerns the method of selection by which a few people are picked out from the mass and put in charge of affairs. For illustration let us follow first the methods of electing a governor and afterward the selection of a president.

We must first consider political parties and their influence, because it is through the parties that men are suggested and nominated. A political party is a body of people who believe in certain principles of government and who strive by acting together in an organized way to control the election of officials in order to put their principles into practise. We have always had parties. Scarcely had Washington taken office before the people divided into Republicans and Federalists. Since that time, there have been many different parties, but usually there have been only two main parties in any national campaign although sometimes, as in 1912, there have been three main parties.



Each party puts forth one candidate for each office and the people at the election merely decide between the parties.

**Nominating a Governor.**—When a governor is to be elected, the parties take the first step. They nominate the man who is to lead them. There are two methods of making the nomination: (1) by a convention of delegates; (2) by a direct vote of the members of the party at a direct primary. Only six states\* now (1916) nominate their governors by the convention system. Formerly all states did so, but the direct primary has taken its place and, probably soon, in none of the states will the convention be used.

**Convention System and Direct Primary.**—Under the convention system delegates elected from each county, or smaller districts, meet and choose candidates. Under the direct primary system the people of each party go to the polls and vote for their choice and the person in each party who receives the highest number of votes is the candidate of that party.

Before the convention or the direct primary is held, a campaign is carried on by persons seeking the nomination. Sometimes, a man seeks the nomination because he is ambitious to hold an honored office; sometimes, because he is fired with zeal to do his state a service; sometimes, a group of people

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\*Rhode Island, Connecticut, Delaware, New Mexico, Nevada and Utah.

desire to promote some idea and mutually agree upon a man to lead them. There are always plenty of candidates for the important offices.

**The Convention.**—If the nomination is to be by a convention, the energy of the person seeking nomination must be spent on securing the election of delegates from the different counties or districts who will be favorable to him. He must have friends who will look after his interests everywhere. Usually several candidates have some delegates in the convention and if no one candidate has a majority, the voting is continued until some candidates drop out and their supporters go to others, finally resulting in giving a majority of votes for one candidate. Cases have been known where the deadlock continued for many ballots because each candidate's friends stood firm, hoping that the others might give up. Often it happens in convention that the man who has a small number of votes in the beginning, finally becomes the one upon whom the delegates agree. Sometimes men have been nominated who had no votes at the beginning. Such persons are known as "dark horses."

When the nomination is made and all the candidates for state offices have been named and a platform adopted, the convention adjourns. Then comes the battle between the parties for the final election. We shall take up the methods of campaigning later.

**The Direct Primary.**—The direct primary method of nominating candidates, now in force in forty-two states, is much simpler. It is merely an election

conducted like the regular election, and the person who receives the largest number of votes in each party in the state is the candidate of that party. All candidates are voted for, at one time, each voter voting the ballots of his own party. To be voted for at such an election, the candidate must usually have a petition bearing a large number of signatures presented to the secretary of state before some specified time, prior to the primary.\*

**Nomination of Candidates for President.**—The nomination of candidates for president is carried on in a similar way but on a much more extensive scale. The issues are more clearly marked and the candidates are better known. During the time a campaign for a presidential nomination is on, the country is interested from one end to the other. There are usually several candidates in each prominent party. The states which have some prominent man usually present him as a "favorite son" though he may not get many votes in other states.

The convention is made up of delegates from each state. The rule is, generally, to allow to each state two delegates for each senator and representative in Congress. A few delegates are elected also from Alaska, Porto Rico, the Philippines and Hawaii. The delegates are, in some cases, elected by the whole

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\*In the closed primary, the voter must declare to which party he belongs and vote that ticket. In the open primary, a voter votes for whichever party he pleases without the knowledge of any one.

state, but usually four are elected by the state and two are elected by each congressional district. In the Republican convention, under their rules, it takes a majority of the delegates, while in the Democratic convention it takes two-thirds of the delegates to nominate a candidate.

Having been elected, the delegates come to the convention, pledged, usually, to support a certain candidate. The friends of each candidate are active. Each has headquarters where his friends gather for conference and work. It is an exciting scene when a thousand delegates and tens of thousands of friends and visitors gather at a convention to select a candidate for president, thereby conferring the highest honor that the party can give.

**The Principal Contests.**—The principal contests of the convention are over the adoption of the platform and the nomination of a presidential candidate. A candidate for vice-president is also named but the contest is not very lively until after the president is nominated. Often the candidate for vice-president is one of the defeated candidates for president or else he is picked to represent another section of the country from that of the candidate for president.

**Methods of Selecting Delegates.**—Delegates to national conventions are chosen in some states by the convention method and in some by the voters, voting directly. The names of candidates are put on the ballot in many states and the voter signifies his choice and at the same time votes for delegates.



The delegates in such cases are morally bound to support the candidate who receives the largest number of votes. They usually do so, but if there is a deadlock and no one can get enough votes to be nominated, the delegates who are thus instructed must change their votes.

**The Platform.**—Before nominating candidates, the party decides upon a platform—that is, a statement of issues with the views which the party supports. This is to tell the voters for what the party will stand if their candidates are elected.

**The Campaign for Election.**—The national conventions are held usually in June. Then follows a period of quiet during which the parties organize and get ready for the great event of the campaign. The candidates are notified by special committees and the occasion is made important by the opportunity which it gives to the candidate to sound in his speech of acceptance the keynote of his campaign.

**Party Committee.**—The organization of a party for a campaign is on a large scale. The national committee, consisting of one person from each state, is in full charge of the campaign. They elect a chairman who becomes the manager and an executive committee which meets frequently. The whole committee does not meet often. Each member is in his own state attending to the campaign there. In each state, there is a state committee which looks after the campaign in the state. There is a county committee in every county which works for the state



committee and also looks after the interests of the county ticket of the party in the county. A precinct committeeman in every voting precinct completes the organization. The whole makes one great machine from the smallest precinct up to the chairman of the national committee.

The duty of these committees is to see that the party workers are busy, working for the success of the party. They distribute campaign speeches, arrange for political meetings and organize clubs. They canvass the voters to learn how they stand and then try to convince the doubtful ones. On election day the precinct committeemen, with their workers, watch at the polls to prevent frauds and work to get the voters out to vote. The most successful workers aim to get their own party members out early. A record is kept and the doubtful ones are then looked after. Late in the day when it is found that some have not voted, a special effort is made to get them to the polls.

**People Should Vote Without Urging.**—Good citizens must wonder why all of this activity is needed to get people out to vote. It is unfortunate that some citizens are so careless about their political duties. In spite of all efforts, thousands fail to vote at every election for no reason except ignorance and indifference.

**Corrupt Practises.**—Some party workers are often engaged in dishonest work in buying voters; paying a day's wages in order to get some men to vote;

paying fares of voters to the polls; preventing others from voting by threats and otherwise preventing a fair election. Conditions are better now than they used to be because the secret ballot makes it impossible to see how a man votes. Occasionally it is shown that the worst kind of criminal practises are still carried on, such as buying votes; voting more than once; stuffing the ballot box; counting more votes than were cast; and driving voters away by threats or actual violence.

**Honest Elections Needed.**—Good government requires that elections be honest. The people are selecting the managers of their business and anything which prevents a free choice is wholly wrong. Some people who seek to gain advantage from getting the offices, pay money to win; but when such persons win, the interests of the people suffer.

**Election Officials.**—The election itself is conducted by officers who are appointed or elected for the purpose. Each precinct or election district has its own election officers, which consist usually of election inspectors and judges or clerks. They guard the ballots put into the boxes or take care of the voting machine if one is used and at the close of the polls they count and tally the votes cast. The results are then sent by them to the county canvassing officer or board and the totals for the county made up. These returns are then sent to the state election board or to the secretary of state where the total vote of the state is counted.

**How the Result is Determined.**—In case of state officers, the person who receives the largest number of votes is declared elected. In the case of the president or vice-president, the person who gets the largest number of votes in a state carries that state and its electoral vote is cast for him. The final election of the president is determined by the electoral vote of all the states and not by the total vote cast in the country. A candidate must receive a majority of all of the electoral votes to be elected.\*

**Nomination and Election of Local Officers.**—The nomination and election of county, city and township officers are conducted in a similar manner and usually at the same times as the state officers. It is, however, becoming customary to have city elections and election of judges held at different times from state and national elections so that voters will more freely vote for good men without regard to their party. In many places, the ballot for such officers is non-partisan—that is, there are no party nominations and no indication on the ballot as to what party a candidate belongs.

In nearly all states, the nomination of county, city and township officers is now made by the direct primary. The person who receives the largest number of votes is nominated by his party in the primary and likewise the person receiving the highest vote in the election is elected to the office.

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\*For the exact method, see the U. S. Constitutional Amendment No. 12, p. 379.

**Nominations and Elections by Less Than a Majority.**—In nominations and elections by a plurality vote, it often occurs that the person chosen does not have anything like a majority of the votes. If there are four candidates for an office and the first receives ten thousand votes, the second nine thousand five hundred votes, the third eight thousand seven hundred votes, and the fourth eight thousand votes, the person elected receives only a little over twenty-five per cent. of the votes. This is not majority rule.

**Remedies for Minority Elections.**—Many devices have been invented to insure that the winner be the choice of a majority. The three principal devices are the following:

(1) The double election is one method. Thus in the case above cited, a second election would be held and at that election the two highest candidates only would be voted for. One would then receive a majority.

(2) The second choice plan is sometimes provided, under which each voter votes not only for his first choice but also for his second choice. Then, if no one has a majority of first choice votes the second choices are added to the first choices to decide.

(3) Another method of election to city councils or commissions is by what is called "proportional representation." This system combines the second choice with a plan to have all important factions represented

in the council. This system can be best explained by an example. Suppose there are ten candidates for five places in a city council. Each voter votes for one candidate. If two thousand seven hundred votes are cast, the quota or number of votes necessary to elect is two hundred and seventy-one. Any candidate who gets two hundred and seventy-one votes is elected. The low man is dropped and the second choice votes of his supporters are distributed among the other candidates according as they were voted. Whenever any of the candidates reach two hundred and seventy-one votes, he is declared elected. When all but the number to be elected are eliminated, the remainder are elected whether they all receive the full quota of two hundred and seventy-one or not.

The method of figuring the vote under this system is not easy to understand, but, in practise, it has not resulted in difficulties. The merit of the system is claimed to be that each party can be represented in proportion to its voting strength.

### QUESTIONS FOR INVESTIGATION

What are the qualifications for voting in your state?  
What persons are not allowed to vote?

What is the advantage of requiring the payment of taxes before voting?

What are the merits of an educational test for voting?

Do the political parties in your state nominate candidates for office by the direct primary system or by the convention system?



What advantage is there in electing one man and leaving him to make appointments of the rest over the election of several officers?

Should delegates to a party convention be apportioned according to population or according to the number of voters of the party?

Explain the electoral system by which the president and vice-president are elected.

In 1888, Grover Cleveland received over 100,000 more votes than Benjamin Harrison, yet Harrison was elected. How did that happen?

What is a plurality? A majority? Why is election by a plurality not a fair method?

Explain the second choice method of voting. What are its advantages?

Is it right for any person to receive his railroad fare to and from the polls on election day?

Find the exact way in which party committees are organized in your county, city and state.

Visit the polling place in your election district on election day and make a report on the way the election is conducted.

Nearly all of the states require that a voter be registered some time before election day. Why is that desirable?

All of the states have a secret ballot. What are the advantages of the secret ballot?

### QUESTIONS FOR DISCUSSION

Resolved that the direct primary method of nominating officials is preferable to the convention system.

Resolved that the age limit for voters should be reduced to eighteen years.

Resolved that a voter who fails to vote should lose his right to vote.

## WHERE TO LOOK FOR FURTHER INFORMATION

Bryce, *American Commonwealth*.

Vol. 2, Chap. LXIX "National Nominating Conventions."

Chap. LXX "The Nominating Conventions at Work."

Chap. LXXI "The Presidential Campaign."

Election laws of your state.

Ray, *Introduction to Political Parties and Practical Politics*.

Chap. VI "Nominations by Direct Primary."

Chap. IX "Party Machines."

Chap. X "Campaign Methods."

Chap. XII "Suffrage Qualifications."

Chap. XIII "Elections and Ballots."

Woodburn, *Political Parties and Party Problems in the United States*.

Chap. XII "The Composition of National Conventions."

Chap. XIII "National Conventions of Today."

Chap. XIV "The Conduct of the Campaign."

Chap. XVI "An Honest Ballot."

Chap. XXI "Primary Election Reforms."

Commons, *Proportional Representation*.

Debaters' Handbook, *Woman Suffrage*.

Debaters' Handbook, *Direct Primaries*.

## WHERE TO WRITE FOR FURTHER INFORMATION

Proportional Representation League.

National American Woman Suffrage Association.

National Association Opposed to Woman Suffrage.

Secretary of state (your state) for election laws and returns on state and national elections.

County clerk for sample ballots and county election returns.

## CHAPTER XVI

### CIVIL SERVICE

There are no exact figures of the number of people employed in the work of government. The national government employs about a half million in Washington and over the country to do its work. The states, cities, counties, towns and townships probably employ three times that number for a part or all of the time. The matter of building and caring for roads and streets alone takes many thousands of men. The work of government covers so many fields that practically all kinds of workers are needed, from the highest skilled and professional workers to the men who work at common labor.

**Extent of Government Employment.**—The number of persons whom the people choose by election is very small. The only officers of the United States elected by the people are the president and vice-president, the ninety-six senators and four hundred thirty-five representatives. Each person helps to elect only five federal officers, president, vice-president, two senators and a representative. The rest are selected by appointment. A large part of the officers in counties and townships are elected directly by the people, and states and cities elect a large num-

ber of officers. But the total of the elected officials is only a mere fraction of the whole. Probably two million men are appointed or hired to do the public work by those whom we elect.

It is evident that the problem of appointing and hiring men for government work is a very big one. It is a matter of the very greatest importance that good men be secured for all kinds of work and that means be provided to secure efficient service from all.

**The Spoils Method.**—The method in general use in appointing and hiring men for government work, has been the spoils method. The men elected to office by a political party have rewarded the members of their party by distributing the positions among them. Government positions have been wrongly looked upon as easy places where the pay was good and the work light and where no special knowledge or ability was required. Every time the control shifted from one party to another, the old employees were turned out and new ones put in their places. This was called rotation in office. In most of the states and cities of this country, that is the system which prevails to-day. Every change of party puts out the experienced workers and puts new untried people in their places.

The spoils system began in the early part of the century when President Andrew Jackson turned out most of the office holders and put his political friends in their places. Each president afterward followed

the custom, and the same system was extended to the state, city and local governments. It was so unbusinesslike thus to handle affairs that thinking men began to see the folly of using the positions in the government service as a means of rewarding political workers instead of serving the people. The demand grew strong for civil service reform. The central idea of such reform was that public office or position is a public trust and that all persons should be selected for merit and retained as long as they do their duty well. It was pointed out that no business concern could prosper if it used the spoils method of filling its positions.

**Civil Service Reform.**—The first step was taken by the United States in 1883, when the Civil Service Law was passed which classified the positions in the various departments of the federal government and required that persons appointed to certain positions show evidence of qualification. The president was given power to add other positions and during the years since, more than nine-tenths of all positions in the United States government have been placed under the merit system. The states of New York, Massachusetts, New Jersey, Ohio, Wisconsin, Illinois, Kansas, California, Colorado and Connecticut have placed the merit system in operation for a large part of their employees, and many large cities have followed the same example. Nearly all large cities now select policemen and firemen without regard to politics and remove them only for cause.



**Examinations.**—Appointments to the civil service by means of examinations are now made for many thousands of positions. The examinations are held by the United States Civil Service Commission for positions under the federal government, and by the state and city commissions in those states and cities which have this system, for positions in the state and city service. These commissions give such tests as they think will best prove the qualifications of the applicants. In some cases, the test is simple and easy. For some positions, such as that of laborers, the fitness of the applicant is easily determined; while for highly skilled positions, the commission may need to give thorough tests of knowledge, experience, general ability and fitness.

**Department Clerks.**—For ordinary clerks in the department at Washington, the examination is designed to test the educational qualifications of the applicant. The test requires an examination in the following subjects: (Figures indicate relative weight on a scale of 100.) Spelling (10); arithmetic (25); penmanship (15); report writing (25); copying and correcting manuscript (15); geography and civil government of the United States (10).

**Policemen.**—The usual method of examining policemen for appointment is as follows: First the application blank filled by the candidate shows his general character and experience. Second, a mental examination tests his general ability. Arithmetic problems are generally given because they form a

convenient test. City information is another important part in testing the applicant's knowledge of his city. Report writing and questions on the rules and regulations constitute the other principal elements of the examination. Physical fitness is, of course, also required, and the physical examination is rigid.

**Firemen.**—Similarly, in examinations for firemen, there is a test of the general mental ability of the applicant and a rigid test of the physical strength and ability of the applicant.

**Highly Skilled and Professional Positions.**—For the highly skilled and important positions, the commission usually requires a test of experience, besides an educational test, and also recommendations from those who are in a position to know the general ability of the applicant. The questions in such examinations are not mere tests of information but often are intended to show what the applicant can do in broader lines. The examination for librarian of the Chicago public library, a few years ago, asked among other things, that the applicant write an extended statement about the problems confronting the library and the best way to meet them. Since this would be the first problem confronting the person chosen, its value as a test is plain.

**The Eligible List.**—Those who pass the examination are placed on the eligible list for appointment and when a vacancy occurs the person who is to

make the appointment does so from the eligible list. The civil service commissions do not make the appointments. They merely give the examinations and list the persons who pass the examinations. Appointments are made by the persons at the head of the department in which the person is to be appointed.

When a vacancy occurs or a new office is created the board or chief in charge of the department requests a list of the persons who have passed the examination for the kind of position to be filled. If there is no one already on the list for the place, the commission holds an examination.

Sometimes the entire list of eligibles is given and the appointing officer selects any one he chooses whether he is the person having the highest standing or not. Under this plan every person who is appointed must have, at least, a certain minimum of standing; but the person appointed need not be the best. This plan has not proved satisfactory.

The usual method is for the commission to submit the names of the three persons having the highest standing and the appointing officer selects one of the three. Then, there is, also, the plan of submitting only the name of the person having the highest standing. This latter plan has the advantage of preventing any possibility of favoritism in making the appointment. The one who stands highest always gets the place. There are advantages in all

three of these plans, but if the examination has been a fair test of ability, it is the best plan that the appointments be made in the order of standing.

**The Advantages of the Merit System.**—The merit system has many advantages over the spoils system.

First—Men are appointed to places because they have proved that they are the best qualified and not because they are political friends of the person making the appointment. This is the method of filling places in all successful business. No business could be successful if the important positions were filled by friends of the manager without regard to their ability in the business.

Second—Under the merit system every person is continued in his position as long as he is able to perform the duties properly. He is removed only for cause. Employees therefore have an opportunity to learn the work they are doing thoroughly, and become expert at it. No employee will take pride in his work if he knows that he may be removed without cause.

Third—Promotion and honors are the principal incentive to cause men to work. The merit system stimulates men to do their best in the hope that they may get the rewards. Wherever civil service reform has been well established, all promotions are made on merit. The chance is thus given to every one to rise in the service.

Fourth—The merit system stimulates people to prepare for the civil service as a life career. Under

the spoils system, no one would prepare himself especially for a government position, because some unprepared politician might have a better chance of getting the place. He would not be sure that if he got it he could keep it beyond the next election. Under the merit system, any person may prepare to serve his government in any one of the hundreds of promising fields open to him, knowing that his own merit would be the test in getting the place and in holding it. One of the greatest needs of the country is to get the best men to serve the people, and under the merit system this is possible. In Germany, England and France, where the merit system prevails, the highest grade of men go into the public service as a life career. That ought to be so everywhere in America. It is so in many branches of the United States government service and is developing in the states and cities.

**Pensions for Government Employees.**—One of the difficulties which the civil service has had, is that of the employee who has become unable or is too old to do the work of his place efficiently. It is unfair to turn him out after long service and yet to keep him means that the work will not be done so well as it might be. The pension plan is, therefore, suggested. Under this plan, any person may retire after a certain age or when he is unable to perform his duties. He receives a pension as long as he lives. The money to pay the pension comes from assessments upon all the people in the service and from



the government. Such pensions are already quite generally provided for teachers, policemen and firemen, and definite plans are under way to create a pension system for all persons working for the United States. Many of the big corporations and most of the European countries have such a system by which they pension their old employees.

### QUESTIONS FOR INVESTIGATION

Describe the method of appointing the persons who do the work of the county in which you live. The city. The state.

What are the qualifications which a business man or a farmer requires when hiring a man to do his work?

What harmful effects come from "rotation in office"?

Is a written examination a fair test of a person's ability?

What other evidences of qualifications should be required?

Which is preferable, the selection of the highest person on the list, the selection of one of the three highest, or the selection of any one who passes the examination?

Should a person, once appointed, hold the place indefinitely?

How are policemen and firemen selected in the city in which you live?

### QUESTIONS FOR DISCUSSION

Resolved that the selection of all public employees should be based upon a thorough examination of their qualifications.

Resolved that a system of old age pensions be provided and that all persons over seventy years of age be retired from service on a pension.

WHERE TO FIND FURTHER INFORMATION

U. S. Civil Service Commission.

Manual of Examination and Annual Report.

State Civil Service Commission.

Manual of Examination and Regular Reports.

City and County Civil Service Commission (Where  
existent).

Manual of Examination.

Bryce, *American Commonwealth*.

Vol. 2, Chap. XLV "Spoils."

Woodburn, *Political Parties and Party Problems*.

Chap. XVIII.

Ray, *Introduction to Political Parties and Practical  
Politics*.

Chap. XIV "The Spoils System."

Chap. XV "Civil Service Reform."

WHERE TO WRITE FOR FURTHER  
INFORMATION

National Civil Service Reform League.

National Municipal League.

United States Civil Service Commission.

State and Local Civil Service Commission.

## CHAPTER XVII

### DISCHARGING OFFICERS AND EMPLOYEES

The business of conducting the common affairs of the people of each community and of each state and of the nation is very large. As we learned in the last chapter it takes probably two million people to perform the tasks of government in all its branches. This is a great army of men and women. They are the people's employees. The people in this country are the employers.

**The Task of Managing Government Employees.—**The task of managing two million employees of a single person would be easy compared with the difficulties of management of the same number of employees by a half dozen employers. Likewise, the task of managing by a half dozen is simple compared with the difficulties which the people as an employer have in seeing that they get proper service from their employees. An individual or head of a business has power over his employees and may discharge or transfer any one whenever it will benefit the business. The people can not do that because they have power only for one day—that is, election day, when they are casting their ballots. Elaborate machinery is, therefore, necessary to enable the people to keep constant

control over their servants in order to get the best possible work.

**People Control Through Elected Officials.**—The people elect certain officers, as we have seen, and leave to these elected officials the appointment of subordinates. It is through the elected officials that the people hold control over the appointed employees. The important question to us is, therefore, that of controlling the elected officials.

**Incentives in Public Work.**—There are two incentives which make men work hard in any employment—the hope of promotion and the fear of discharge or being set back. The person who works for the people in doing the tasks of government is particularly subject to these incentives. Promotions and discharges are given more attention in public employment than in the case of private employment.

**Failure to Reelect.**—The elected official is held accountable because he knows that his successes will be heard about and his failures known and when his term of office expires, the people will judge whether he has done their work to suit them. One way to discharge such an employee is to fail to reelect him at the close of the term. One way to show that his work has been approved is to give him a good vote for reelection. This is the method of control used with respect to all officers who are elected by the people.

It is a simple method. We hire a man to work for us for a certain length of time. At the end of

the time he decides whether he wants to try to continue at the job and we decide whether we want to keep him.

This serves one purpose, but it does not help much in the case of the man who, before the end of his term, proves to be corrupt or incompetent in office. Such an officer may be discharged at the end of his term by the voters, but he may do much harm before his term ends. Something is needed to meet this danger. The people must have means at hand at all times to call their employees to account. These are furnished by the method of impeachment and lately by the recall.

**Impeachment.**—The only method employed for many years in discharging corrupt and incompetent officers was that of impeachment. This process means that the officer is charged with grave offenses and is tried before a court. If he is found guilty of the charges, he is, thereby, put out of office. The president, vice-president and all civil officers of the United States may be impeached for "treason, bribery and other high crimes and misdemeanors." The charges are brought by the House of Representatives. The Senate acts as the trial court and if two-thirds vote for conviction, the officer is removed. No president or vice-president has ever been removed from office. Owing to political differences, President Johnson was impeached by the House of Representatives and tried by the Senate in 1867 and only one vote was lacking for a conviction.



Governors and elective officers of states are in most states subject to impeachment. In some states, the House of Representatives brings the charges and the Senate tries the case; in others, the Supreme Court tries the case; and in New York, the Senate and the highest court—the court of appeals—sit as the trial court. County and city officers may also be impeached. The process is usually carried on before the courts of the county or district. In any case, conviction means removal from office.

Impeachment is a very severe as well as a slow and difficult process and is resorted to only in grave cases. It is not a satisfactory method of holding officials to account in ordinary cases. Serious crimes usually have to be charged. An officer may be wholly incompetent and yet honest and he could not be charged with offenses of such a character as to warrant impeachment. A simpler method has been sought and many states and cities have adopted the recall as a means of discharging faithless and incompetent officials.

**The Recall.**—The recall is a method by which the people may at any time take a vote on the question whether an official shall be discharged. The method followed is in most cases as follows: A certain percentage of the voters—usual twenty-five per cent.—sign a petition asking that an election be held to determine whether a certain officer shall be removed from office. The petition must state the causes for removal. The officer has a right to answer the charges.

Candidates are nominated against the official. The election is held, and if a majority vote against the accused official, he is thereby removed and the candidate securing the largest number of votes is declared elected. In practise, it is usually required that a man be given a chance of at least one or two years before any recall can be started and if the attempt is made once and fails, then no further attempt can be made during his term.

The recall has the advantage of giving the people a close rein on their officers. It is a constant spur to the official to satisfy the desires of his employer—the people. It has the disadvantage of being subject to unfair use by political enemies who trump up charges—perhaps against reasonably good officers. An official may be elected by one political party and very soon, perhaps, be compelled to defend himself at a recall election forced by the other party for purely partisan purposes. It is the abuse of the recall and not its use that is unfair.

**Removal by the Governor.**—Another method of discharging officers elected by the people as their employees is that of removal by some higher official for a cause after a hearing. Thus the county sheriff, mayors of cities, and certain other local officers in New York may be removed by the governor. In many of the states, similar powers are exercised as to certain officials by the governor. Charges are made in such cases to the governor, who makes an investigation, gives the official a chance to present

his case and then decides the matter. This is an easy method of making charges, but the charge must be quite serious to get consideration from a fair governor. It was intended against the corrupt official and not against the man who is incompetent or who is not so good as he ought to be.

**Removal of Subordinates.**—When we come to the officers and employees appointed by the elected officials, the method of discharging is comparatively simple. The man who appoints usually has the power to discharge. So much political favoritism has at times come in, however, in causing competent employees to be discharged and incompetent, or at least not so competent, employees to be put in their places, that restrictions have gradually been placed on the power to remove. "No removals except for cause" is coming to be the rule in progressive states and cities and in the national service.

The president of the United States, with the approval of the Senate, appoints the members of his cabinet and a vast number of other officers. The cabinet being his personal advisors, the president has the right to appoint whom he pleases and to remove them whenever they are not in accord with him. The same may be said with reference to many other officers in important departments. The president may, therefore, remove any member of the cabinet and many other officers without giving any cause. Since he may remove the chiefs of departments without cause, it gives him power to cause

the removal of many of the subordinates simply by directing the chief of the department to remove them. The governor may, likewise, remove officials appointed by him, but usually he must prove the cause of removal.

### QUESTIONS FOR INVESTIGATION

What is the usual method by which employers dismiss employees?

Why can not the methods usually employed in business be used to discharge government officers and employees?

Why is the method of impeachment of officers inadequate?

What dangers arise from giving an officer arbitrary power to dismiss employees?

What defects of the recall method can be mentioned?

What are the advantages of the recall?

### QUESTIONS FOR DEBATE

Resolved that there should be no removals from public employment except for cause after a hearing on the charges.

### WHERE TO LOOK FOR FURTHER INFORMATION

Bryce, *American Commonwealth*.

Vol. 2, Chap. LXV "Spoils."

Ray, *Introduction to Political Parties and Practical Politics*.

Chap. XVII "The Responsibility of Public Officers, Their Removal by Impeachment and Recall."

Woodburn, *Political Parties and Problems in the United States*.

Chap. XXII "The Initiative, Referendum and Recall: The Oregon Experiment."

Munro, *Initiative, Referendum and Recall*.

Chap. XII.

Chap. XIII.

Chap. XIV.

Chap. XV.

Debaters' Handbook, *Recall*.

WHERE TO WRITE FOR FURTHER  
INFORMATION

Civil Service Reform Association.

United States Civil Service Commission.

State or City Civil Service Commission (if there is one).



## CHAPTER XVIII

### LAW-MAKING BODIES

First in importance in the process of conducting our affairs is the determining of the will of the people and its declaration by authority, or the making of laws. Whatever we propose to provide for, whether it be the building of a road, a schoolhouse, or sewage system, either the people or some one having authority from them must first decide to do it, then provide for meeting the cost and declare how it shall be done.

**The Process of Making Laws.**—This process of legislation is carried on in this country by several agencies. What the country as a whole shall do, is determined by the Congress of the United States; what the state shall do, is determined by the state legislature; what the city shall do, is determined by the city council or the city commission. In every case, these bodies are made up of representatives of the people selected by the people.

**Congress.**—Congress is composed of two houses, the Senate and the House of Representatives. The Senate consists of ninety-six members, two from each state elected by the people of the state. Formerly, they were elected by the state legislatures,

but it was found that they did not represent the people closely enough and they were made elective by the people. The Senate was supposed to be the representatives of the states, hence, an equal number was given to each state on the theory that the states were equal regardless of size. The House of Representatives consists at present of four hundred and thirty-five members elected from districts into which each state is divided.

**Apportionment of Representatives.**—After each census, Congress determines how many members there shall be in the House and fixes the number that shall be elected from each state on the basis of population. At present, one representative is elected for each two hundred and thirty thousand people, but as each state has at least one representative, it happens that such member might be elected to represent a comparatively small number of people, as, for instance, in Nevada which has only about sixty thousand population. An exact apportionment is of course impossible, so the effort is to make as nearly equal distribution as possible. After Congress has determined how many members are to be elected from each state, the state legislature divides the state into districts as nearly equal in population as practicable.

**Sessions of Congress.**—Congress meets every year on the first Monday in December. The session, beginning in the odd years, lasts as long as there is business to do. The session in the other years ends

March fourth following, because the terms of office of the representatives and a part of the senators expire on that date and a new Congress comes into office. The president may call the Congress together in special session whenever he desires. Representatives are elected for two years and senators for six years. The terms of the senators are so arranged that about one-third go out of office every two years.

**Powers of Congress.**—Congress is the body to determine the will of the whole people and declare it in laws on the subjects over which the federal government has control. We have already seen that these powers have to do principally with foreign affairs; the means of defense—the army and navy; trade among the states and with foreign countries; building of public buildings such as post-offices, court-houses and custom houses, and of public works such as harbor and river improvements to aid navigation; the operation of post-offices and certain other government enterprises such as irrigation works, the Panama Canal, and the Alaskan railway; the care and disposal of public lands; dealings with the Indians; educational work in agriculture, road making, educational methods; and the soldiers' pension system. The power of Congress is very great because of the size of the nation and its enormous interests. Congress is powerful, too, because it may regulate all traffic between the states. Thus, while it would have no authority over matters wholly within a sin-

gle state, it can prevent any product from being taken from state to state. As an example, it can not stop the existence of a saloon in a state but it can prevent liquor from being sent into any state.

Because of this power to regulate all traffic between states, Congress can prevent the production of impure foods and drugs by requiring that all goods shipped from state to state be inspected for purity; they can prevent the shipment of liquor or the products of prison labor from state to state. Recently it has been proposed that any goods manufactured by child labor be prohibited from being sent from one state to another. It will be easily seen that this power is effective because under modern conditions a large part of the goods we use, go from one state to another.

Congress can likewise exercise great power in cases of animal disease by making laws for quarantine against disease. When there is an epidemic of animal disease in a state or a community, the Bureau of Animal Industry at Washington has power from Congress to prevent any shipment of animals from the infected region into another state.

**The State Legislatures.**—Every one of the forty-eight states has a legislature consisting of two houses to pass laws. One house is called the Senate and the other is usually called the House of Representatives. They vary in number of members in each state. Some states still cling to large membership.

The usual number is from one hundred to one hundred and fifty in the House and from twenty-five to fifty in the Senate.

**Powers of State Legislatures.**—The powers are about the same in all states. The legislature has power over everything which is not given to Congress, that is, after deducting the express powers given to Congress, all the other things which the people have to do for themselves are in the hands of the state legislature, except where either the United States or state constitution has expressly declared that the legislature shall not have a certain power or when the state constitution has expressly given power to cities over certain of their own affairs, in which case the state legislature can not interfere. These limitations are few, however, and the legislatures of most states have a wide range of powers covering such matters as keeping order, the control of property, the settlement of estates, education, charities, roads, regulation of business, control of public utilities, etc. Measured by its direct importance to the people in their every-day affairs, the work of the state legislature is more important to them than the work of Congress.

**Apportionment of Members of State Legislatures.**—Members of the state legislature in both houses are elected from districts which are as nearly equal in population, or in some cases equal in voters, as possible. The theory of representation is always that each representative represents an equal number





U. S. House of Representatives



U. S. Senate Chamber



New State Capitol, Madison, Wisconsin

of people. There are a few exceptions to equality. We have seen that each state elects two senators in the United States Congress regardless of size. The state of Rhode Island has one senator in the state senate from each town (township) whether it is a country township with only a few people or the city of Providence with over two hundred thousand people.

Generally speaking, the principle of equal representation is followed. The states are divided into senatorial districts and representative districts according to population. The districts, usually, follow county lines. If a county is entitled to more than one senator or representative, it is subdivided. If one county is not entitled to a member, it is joined with a neighboring county. Since the districts follow county lines, it is not possible to get an exact equality, but a reasonable equality is all that fairness requires.

The districts are fixed by the legislature after the United States census or after a state census. The districts are readjusted every few years—usually every ten years. It will be readily seen that such changes must be made frequently because population shifts so rapidly. The growth of cities makes great changes in a few years. The importance of changes is aptly illustrated from the history of England where, for many years, up to 1832, no changes had been made in the districts from which members of Parliament were elected. The result was that some great cities

had no members while in some places which elected members there were few people left. The same condition exists in Germany to-day in the representation of the cities in the Reichstag—the legislative body of the empire.

**Gerrymandering.**—In order to get political advantage the divisions of the state into congressional, senatorial, representative, or assembly districts, or of the city into wards, is often so made as to give the advantage to the party making the districts. This is called "gerrymandering." The usual method is to group all of the territory which is strongly of the opposite party together and let those districts be conceded to that party. Then the rest of the districts will be safe.

**City Councils or Commissions.**—In the cities, the body which determines the will of the people is the city council, or the city commission, as it is called in cities having what is known as the commission form of government. In early times, the city council was modeled on the state legislatures and there were two houses, corresponding to the Senate and House of Representatives. This has been rapidly changing, and now there are very few cities which have two houses. The modern way is to put all power into the hands of a council of one house or a commission of three or five members who determine what shall be done.

**Powers of the City Council or Commission.**—In order to understand the work which the city council



has to do, we must consider the relation of the city to the state. We have already seen that the city is organized under state laws to do the special work which the city needs to have done for itself. In most of the states, the legislature has prescribed specifically the powers of the cities, but this has been so unfair to the cities that the idea of home rule, or the right of the people of a city to do all things which concern them alone, has been accepted as the best plan.

Where the legislatures prescribe city powers specifically, the city councils can do only the things which the state legislature has authorized them to do. Under this system, a city council may not pave its own streets unless the state legislature has expressly authorized it, and then only in the exact way stated by the legislature. Under home rule, the city councils may do anything which concerns the city and is necessary for its welfare unless it is specifically prohibited. This is the logical system. Those things which concern the city only, ought to be left to the city to do; those things which can not be done by the city alone or which concern more than the people of one city, should be done or controlled by the state legislature; and those things which concern more than one state and can not be done by one state, should be done by the nation.

**Apportionment of Members of City Council or Commission.**—Members of city councils are often elected from wards of the city, but it is becoming the



practise to have all the people of a city vote for each member. This is the case in all cities having the commission form of government. When the election is by wards, the same principle of equality of representation is followed. Each ward is supposed to have an equal number of people and each member, therefore, represents an equal number.

**Counties and Townships.**—Counties and townships are mere districts of the state. They carry out the laws of the state as they apply to their own territory. The people of counties and townships do not determine their own wills through a legislative body, except in very minor matters. The law for them is laid down by the state legislature and what they do in taking care of their own affairs is done according to the state law. Counties and townships build many works for common benefit and do many things, but they are nearly all done subject to the details of the state law. The officers and boards are not legislative officers, but executive or administrative bodies which we shall consider in a later chapter. There is a movement taking form to give home rule to counties so that they may be free to do the work which concerns them in their own way. This would be valuable to the large and populous counties; and a few counties in California already have home rule.

## QUESTIONS FOR INVESTIGATION

How many representatives in the United States House of Representatives are elected from your state? Who is your congressman? When was he elected? When does his term expire? Who are the United States senators from your state?

Take a map of your state and indicate the boundaries of your congressional district. Also indicate the other congressional districts.

Are the districts nearly equal in population?

Why should representative districts be equal in population?

On the map, indicate also the senatorial district from which your state senator is elected. Also indicate the district from which your representative in the state legislature is elected.

How many members are there in the state Senate of your state? In the House of Representatives or assembly? What is their term of office? Salary? Do you know the name of your senator and representative in the state legislature?

How many members are in your city council (if you live in a city)? Are they elected by the whole city or by districts? If by districts, indicate on a map of the city the boundaries of the district.

What is the total number of persons whom a voter in your community helps to elect to make laws in city, state and nation?

Why is it important for the citizens to know the powers of each law-making body—the city council, state legislature, and Congress?

Make a list of the things which affect your community that the city does; that the state legislature does; that Congress does. (Confine this to things in which you have had experience.)

## QUESTIONS FOR DISCUSSION

Resolved that the work of the state legislature is of more consequence to our welfare than the work of the Congress of the United States.

Resolved that the work of the city council or commission is of more consequence to our welfare than the work of the state legislature. (For city discussion.)

## WHERE TO FIND FURTHER INFORMATION

Reinsch, *American Legislatures and Legislative Methods*.  
Bryce, *American Commonwealth*.

Chap. X "The Senate."

Chap. XIII "The House of Representatives."

Chap. XV "The Committees of Congress."

Chap. XL "State Governments—The Legislature."

Constitution of the United States, Appendix, Article I.  
Powers of Congress.

The state constitution of your state, article relating to powers of the legislature.

The city charter of your city.

WHERE TO WRITE FOR FURTHER  
INFORMATION

The senators from your state and representatives from your district in Congress.

The state senator and representative from your district.  
State Legislative Reference Department or similar body.  
Members of the city council or commission.

## CHAPTER XIX

### HOW LAWS ARE MADE

In the preceding chapter, the subject of law-making bodies was discussed. We shall now consider the way these bodies work and the way in which laws are adopted and become part of the rules which guide, control and help.

**Custom and Law.**—It will make the matter clearer if we first fully understand what we mean by law and particularly what we mean by written law, which is the kind that our legislative bodies make. Law is a rule laid down by those in authority, which every one must follow. In this country, that authority is the people either acting directly through the initiative or through representatives in the state legislatures or United States Congress, city councils or commissions. Formerly, law was merely custom, and even yet many of our most binding laws are custom. In many states, it is custom that a person turn to the right when meeting another, yet everybody does it and any one would be blamed who failed to follow the custom.

In early times, also, custom was sufficient in providing for public needs. If a building were needed for common uses, all joined and contributed labor

and material in fair proportions. If a road was to be built or maintained, custom caused it to be done by those who benefited by it. But as public building and works increased, the community had to have better organization and as work became more specialized, the people contributed money instead of joining to do the work. The result was that the law under which the work was carried on had to be written out; and the more complex the work became the more detail was needed in the law. So, to-day, we have elaborate laws in each state governing the construction of roads, streets, bridges, public buildings, drainage works and so on.

Let us take an illustration which will show another reason for making laws; the subject of fish and game. When fish and game were plentiful, no restrictions either by custom or law were placed upon hunting and fishing. Men caught and killed all they pleased. Finally, in many parts, game and fish became scarce. Some means had to be taken to protect them or else there would soon be none at all. The people soon passed laws to prohibit hunting and fishing except in certain seasons, and later in some places prohibited any person from taking more than a certain amount of fish and game. At the same time, they provided means to hatch fish and breed game to keep up the supply.

**Progress Makes New Laws Necessary.**—On many subjects, progress has made necessary the writing out of laws because custom was not suffi-

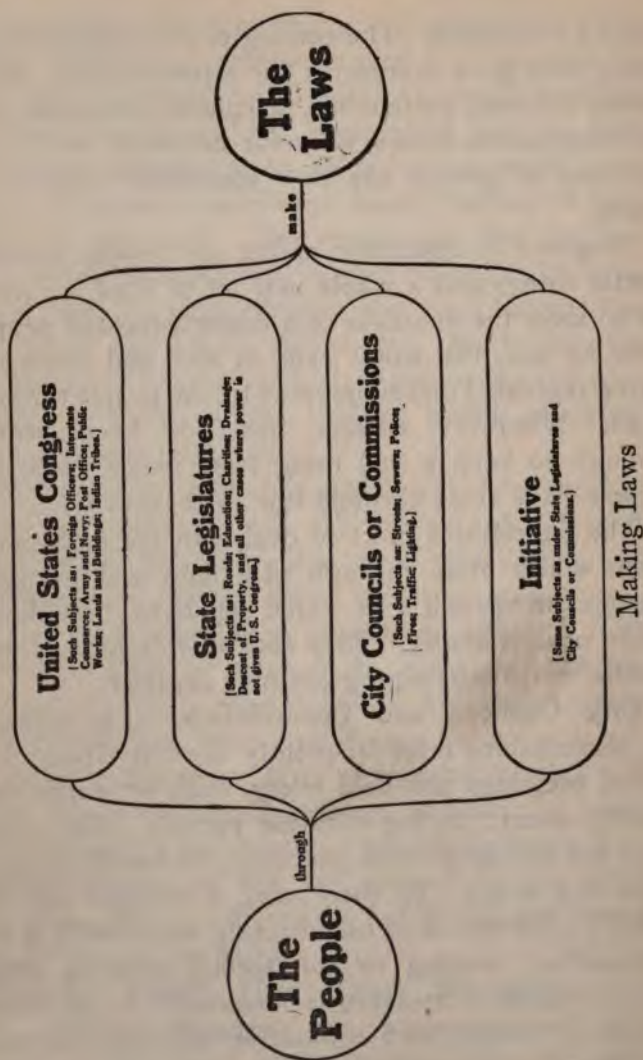


cient for the time. The coming of the railroad made many new laws necessary; the street railway, inter-urban railroad, automobile, telephone, telegraph and moving-picture shows, all made necessary new rules or laws to govern the new conditions created by them.

Progress in education makes the people demand better things and a whole new lot of laws are needed to meet the demands of a better educated people. One by one, the worst evils of vice and crime are being regulated and suppressed by the people through laws. Wherever custom has not been strong enough to keep a bad thing from being done, the people have acted through law to prevent it.

The legislatures meet to deal with the new conditions which arise through new laws and to make changes in the old laws which experience has shown to be unsatisfactory. They also provide for any new public works which progress may demand.

**City Councils and Commissions.**—City councils or commissions meet frequently in most cities. Usually, meetings are held every week or every two weeks, except during vacation periods. The members are on the ground, therefore, to handle a situation as it arises. By their rules, a measure may usually be introduced at one meeting and passed at the succeeding meeting or the second meeting afterward. When a measure is introduced in the council, it is referred to a committee which is supposed to make an investigation of it and to get the views



of people who desire to express an opinion. There is not, usually, very much formality about the action of the city council. In its action, it is more like a school board or the board of directors of a business. In many cities which do not have home rule, the public takes little interest in the affairs of the city council, except on a few far-reaching subjects such as measures for the construction of important works requiring the spending of large sums of money, or the granting of rights in the streets to companies operating gas, water, electric light, heat and electric railway companies. The lack of interest is the most important cause of bad government in cities.

The power of the council usually consists in passing traffic ordinances, health regulations, food inspection rules, and in prohibiting this or that practise harmful to the safety, morals, health or welfare of the citizens.

**State Legislatures.**—State legislation is the most important to us because of the range of subjects with which it deals and which affect us so closely. Where there is one subject of federal legislation of direct interest to us there are a score of subjects of state legislation which affect us directly. Moreover the most important city, county and township matters are subjects of state laws.

The amount of business which confronts the legislatures of the states every time they meet is very great. This is the result of progress and of education upon the needs of the time. The members are



confronted with thousands of proposals for changes in laws or for new laws.

**Where do Proposals for New Laws Come From?**  
—From what source do these proposals come?

First—The member, himself, has ideas of changes which he wishes to make. In going over his district and conferring with men of all kinds, ideas gained take form in definite plans. He often advocates certain things in order to win votes and then he feels in duty bound to try to put those things into laws.

Second—Some public calamity, such as a flood or an epidemic, may have called attention strongly to the need for new laws. The thought may be in everybody's mind and the legislature is expected to express it in law.

Third—Individuals or groups or societies which have been working on problems of public welfare such as child labor, playgrounds, public health, or charities bring forth the results of their thought, study and experience for new laws in order to better the conditions which they have discovered.

Fourth—Public officials charged with the duty of doing the work provided for by law, may have discovered from their experience that changes or new laws are needed. From their practical experience, it is reasonable to expect that wise proposals will be made.

Fifth—Previous legislatures may have worked on questions and finding them too complex may have appointed commissions or committees to study the

questions. These committees make reports which serve as guides to the legislators at the next session.

Sixth—Private interests which seek to gain some advantage by change in a law present many bills, some of them fair and asking only what they have a right to ask, but often seeking unfair advantages at the expense of the public.

Proposals coming from all of these sources focus on the legislature when it convenes. There are all sorts of measures coming from all sorts of people. Many of the proposals are unworkable, many have a bad object and would result badly, many are contrary to the Constitution which we know is the supreme law. There are schemes for building large public works or giving rights to others to build. There are plans to better conditions of the workers, to prevent child labor, to provide better education, to take care of the helpless, to punish offenders, to regulate railroads and public utilities, to protect health, to prevent fires and other losses, and to do many things to promote the public welfare besides the schemes to give to private individuals advantages, which many fairly or unfairly, seek.

Such are the questions which confront our legislators when they meet. Fully one hundred thousand propositions are presented in the forty-eight states in a single year or an average of over two thousand to a state.

**Legislative Information.**—The first need of the members is for information upon the many problems



which confront them. Formerly they depended upon the chance knowledge of members and interested persons. In recent years the idea of maintaining a bureau of reference or information has been adopted. These bureaus, which are usually called legislative reference departments, study the laws of the state and of other states, gather information and opinions about the workings of laws and compile the information in a form which the legislator can use. In this way the experience of the whole country is brought to the aid of the members. The mistakes of other states as well as their successes help to guide the legislature in making good laws. Nearly every state now carries on some legislative reference work and many of the states are doing extensive work of this kind.

**Committees.**—To handle the volume of business the houses of the legislature are divided into committees usually appointed by the presiding officers or in some cases appointed by a committee chosen for the purpose. To the committee on health, go all matters relating to public health; to the committee on education, all matters relating to education; to the committees on labor, railroads, drainage, highways, the propositions relating to such subjects. This is the only way in which to handle so much business. Each committee has thus a chance to study deliberately the matters which come before it.

**Form and Preparation of Bills.**—The propositions are presented in the form of bills which are usually

typewritten. These are prepared by lawyers or other persons skilled in writing laws. A few states provide bureaus of bill drafting or put such duties on the legislative reference departments, to which a member can bring his ideas and have them prepared in a bill. The drafting of the bill is very important, for an omitted or changed word or a misplaced comma may change the meaning materially. Every word must be used with precision to make the meaning clear. An example will make this plain. It was once enacted in a certain state that wagons having broad tires should not be taxed. But what did the word "broad tires" mean. There was nothing to indicate and the law had no force.

**Introduction of the Bill.**—After the bill is prepared, it is introduced by the member when his name or county is called on roll-call. It is read, usually, by the title only, and the presiding officer refers it to the proper committee. Perhaps scores of bills are introduced at the same time by other members and all referred to committees. The first work is thus shifted to the committees.

**Action by the Committee.**—The committees which usually consist of a small number of members—though, in some states, there are very large committees—take the bills referred to them under consideration and hear what is to be said by people for and against them. Often great public hearings are held to which crowds come with spokesmen for favor or oppose a bill. After hearing all the arguments and

considering them, the committee sends the bill back to the house with its recommendations as to what the house should do with it. If the committee opposes it, it recommends that the bill be indefinitely postponed. If the house accepts that report the bill is thereby killed. If the committee reports in favor of passage and the house accepts the report, the bill begins its journey on the floor of the house.

**Procedure in the Houses.**—The bill comes up next on second reading when it may be debated and amended. If it gets past this stage, it is engrossed—that is, written out with all changes, which have been made during debate, inserted. In most states, that means writing out in longhand. The next time it appears it is ready for passage, although it may still be amended or again referred to a committee if enough of the members desire it. When the vote is taken the members vote “aye” or “no” and the vote is recorded. If the bill receives a majority of all the members of the house it is declared passed and is then sent to the second house where it goes through the same process. Should the second house pass the bill with changes, it must go back to the first house for approval of the changes. If the changes are accepted, the bill is enrolled—prepared in final form either by printing or in some special form, engraving, or writing out in longhand—and is then ready to be presented to the governor. Should the first house disagree with the changes made by the other house, a conference committee of the two houses is ap-



pointed to fix up the differences and if they agree and the houses approve, the bill is enrolled. If the two houses can not agree the bill fails.

**The Governor's Action.**—In its enrolled form the bill is presented to the governor. If he approves the bill, it becomes a law. If he disapproves the bill, he vetoes it and sends it back to the house where it originated with his reasons. The houses may then try to pass it over his veto, and if they succeed the bill becomes a law. To pass a bill over the veto requires merely a majority vote in some states, while in others it requires two-thirds or three-fourths of the members.

**The Enrolled Law.**—The enrolled bill passed by the houses, when signed by the governor, is deposited in the office of the secretary of state and from it copies are printed. It is held always under close watch for it is the real law. Since the courts look to it as the real law, it is very important that it be absolutely correct. If any one by design or by carelessness in making the copy should change a word or a comma, the entire meaning might be changed and there would be no help, because the enrolled act as it stands is the law even though there may be mistakes in it.

**Lobbyists.**—During the course of a bill through the houses it runs into many pitfalls. Forces line up for and against it if it is a matter of importance affecting any interest either for good or ill. The state houses swarm with representatives of those who

are for or against measures. Such men are called lobbyists. There are lobbyists who are working for the public welfare and those who are seeking private advantage. Arguments are pressed upon the members, personal appeals are made to them, and often vicious interests seeking advantages use money and other rewards to get the members to vote their way. Politics, business, philanthropy and greed sometimes enter into the decision which the members must make.

**Manipulation of Legislative Machinery.**—There are pitfalls, also, in the machinery provided. The presiding officer has great power. He may easily give the advantage or the disadvantage to a bill. He may refer it to an unfavorable or a favorable committee whose decision goes a long way toward the fate of the bill. He may delay the bill to a favorable or an unfavorable time according to his desires. He may favor one side or the other in the parliamentary maneuvers. By a sudden trick when the friends of a bill are not prepared, a bad amendment may be made or the bill may even be killed. The friends and enemies of a bill have to be on constant guard. They must know the rules of the house and the tricks of parliamentary law.

The chairman of the committee to which a bill is referred is also in a position to help or hinder a bill. He may fail to call his committee together or to present the bill for their action. He may pigeon-hole it—that is, keep it in his desk. The house could, of course, order him to report it out, but that is not



very often done. Under the most favorable circumstances, the chairman may cause delays which in a short session injure the chances of a bill.

**Legislation in Congress.**—What has been said concerning the methods of passing laws in state legislatures applies with slight changes to the enactment of laws by Congress. There are, of course, many differences in detail, but the general methods are the same. The Senate and House of Representatives are divided into committees for the same purpose that the houses of the state legislature have their committees. Bills come from the same kinds of sources and are prepared in the same form. Congress has thus far provided no facilities to help in the difficult task of drafting bills.

**Procedure in Congress.**—Bills are introduced by members, referred to committees, have their hearings, are reported back favorably or unfavorably and go through the same process of reading, discussion, amendment and final action by vote. It takes a majority of the members voting on a bill to pass it, instead of a majority of all the members of the body as in most of the states. A small number may pass a bill if that number be a majority of a quorum. Every bill passed must receive the approval of the president. If he vetoes a bill it may be passed by a two-thirds vote over his veto.

**Lobbyists in Congress.**—Lobbyists also swarm around Congress. The interests at stake are often vast, involving perhaps the regulation of such great

corporations as the railroads, the Beef, Standard Oil, or Steel Trusts. Such measures as the reform of the banking system for the whole country, the tariff law affecting hundreds of big businesses, the anti-trust laws aimed at bad business, bring to Washington great numbers of men who represent big corporations and who come to fight any laws adverse to these interests.

**Committees of Congress.**—The committees of Congress are more deliberate in their ways than the committees of state legislatures. A majority of the bills are pigeonholed by the chairmen who fail to bring the matter up for action. Public opinion is not so forceful. A measure must have tremendous force behind it to arouse the whole nation. Only a few such measures come up in a session. The speaker exercises as great and in some cases greater power than the speaker in a state House of Representatives. A few members who have had long experience, know the game and dominate the body because of their knowledge of facts and methods. The actual business is carried on by a mere handful of men.

**Faults of Legislative Bodies May be Corrected by Intelligent Criticism.**—There are many faults and weaknesses in the organization and methods of the city council or commission, Congress and the state legislatures. These can be corrected only when people understand the work of legislative bodies and begin to give intelligent criticism. It is a very difficult task to make laws under the most favorable con-

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ditions. Just the task of wording them, so that they will not only be understood but so that no one can pretend to misunderstand them, is an exacting one.

Added to that task, are the further tasks of making laws express the real will of the people, making them conform to the Constitution which is the supreme law, and fitting them into the scheme of things without causing unreasonable changes.

**The Initiative.**—In making laws, representatives act for the whole people. They are expected to enact the will of the people into law. When they do not do so, the people may refuse to reelect them, but this does not make it certain that their successors will not do likewise. In order to force the adoption of laws desired by a majority of the people, the initiative has been devised. This is a means by which the people propose laws themselves and submit them to the voters for their adoption or rejection. A petition is first presented setting forth the proposed law, signed by a number of people—usually about fifteen per cent. of the voters. At the next election, or at a special election, the question is put on the ballot and if a majority of the voters favor it, it becomes a law. The initiative is used in many of the states and numerous cities.

**The Referendum.**—In many states, when the legislature or city council has passed a law which the people do not like, they may defeat it by the referendum. A petition is first filed demanding that the act be submitted to a vote of the people. At the elec-

tion it is submitted, the people vote upon it and unless a majority favor it, the law does not take effect. The operation of the initiative and referendum is effective when only a few important matters are presented to the voters. When numerous unimportant matters are being voted upon, there is considerable confusion.

### QUESTIONS FOR INVESTIGATION

What is the relation between custom and law?

Show how custom develops into law.

Make a careful examination of the state constitution of your state and make a report on the provision relating to legislative procedure.

Do you know of any condition which exists in your community which needs correction by law?

Give some concrete examples of the need of exact language in laws.

Why are bills written out in longhand? Is there any advantage in it?

What reasons can you give in favor of the requirement that every member vote "aye" or "no" on a bill and have the vote recorded in the journal?

What is the meaning of the term "lobbyist"?

Name six different propositions which properly come before the city council of your city; six which properly come before the state legislature; six which come before the Congress.

Write to the legislative reference department of your state and inquire the number of bills introduced at the last session in each house and the number which became laws. Ask also for a list of the subjects upon which important laws were passed at the last session.

Show how progress makes new laws necessary.

Show how the broader education of the people causes new laws to be demanded,



Write to your congressman and ask for copies of a few bills as examples of the forms used in the Senate and House. Ask your state senator or representative or the legislative reference department for samples of bills introduced in the state legislature.

What is the value of giving the governor and president the right to veto bills?

Discuss the importance of the work of committees.

### QUESTIONS FOR DEBATE

Resolved that the sessions of the committees of the city council, state legislature and Congress should be open to the public and that the proceedings and votes of members should be recorded.

Resolved that it would be better to have only one house of the state legislature and Congress.

### WHERE TO LOOK FOR FURTHER INFORMATION

Bryce, *American Commonwealth*.

Vol. 1, Chap. X "The Senate."

Chap. XII "The Senate, Its Working and Influence."

Chap. XIII "The House of Representatives."

Chap. XIV "The House at Work."

Chap. XV "The Committees of Congress."

Chap. XVIII "The Relation of the Two Houses."

Chap. XXXIX "Direct Legislation by the People."

Chap. XL "State Governments: The Legislature."

Chap. XLIV "The Working of State Governments."

Chap. LI "The Workings of the City Government."

McCall, *Business of Congress*.

Reinsch, *American Legislatures and Legislative Methods*.

Discusses both national and state legislatures.

State Constitution, provisions relating to legislative procedure.



U. S. Constitution, provisions relating to procedure of Congress.

Rules of the U. S. Senate and House of Representatives.

Rules of state Senate and House of Representatives.

#### WHERE TO WRITE FOR FURTHER INFORMATION

Same as in preceding chapter.

## CHAPTER XX

### PUTTING LAWS INTO EFFECT—THE EXECUTIVE

The making of laws is merely the beginning in the process of government. The writing out and the enacting of a law by a legislature or by Congress or by a city council is important only if it is carried into effect. To declare that a certain thing shall or shall not be done does not amount to much unless there are means provided to make sure that the thing is done or is not done.

**Law Enforcement.**—As a part, therefore, of every law there must be provided, if it does not already exist, the machinery to put the law into operation. That machinery, we have seen, forms the executive department of the government.

**The Executive Department of the United States.**—In the government of the United States the executive department consists of the president, the ten members of his cabinet and all the boards, bureaus, commissions and officers working under them who do the work of the federal government. These offices and boards have been created from time to time as the need has arisen to carry into effect the various laws passed by Congress. When the country was

small in the days of Washington, only a few officials were needed. There were only three members of the cabinet, secretary of state, secretary of the treasury and secretary of war and navy. The duties of each are indicated by the title. As the duties of each office grew, the need for additional ones increased. The secretary of the navy was first added (1789) and all matters relating to the navy were taken away from the War Department. Then the post-office became so important that in 1829 another cabinet office was created—that of the postmaster-general. Next the office of the secretary of the interior was created in 1849 to look after the public lands and the relations with the Indians. The attorney-general became a member of the cabinet in 1870, although the office had existed outside the cabinet from the beginning. By 1889 the work of the government for agriculture became so important that the office of secretary of agriculture was created. A few years later, 1903, the questions relating to commerce and labor became so important that a ninth member was added called the secretary of commerce and labor. In 1913 this office was divided and two secretaries were provided for—the secretary of commerce and the secretary of labor. Thus there are ten members under whom nearly all the work of the government is carried on.

In addition to the cabinet, a few independent departments do important work. The Civil Service Commission is not directly under any cabinet officer but it is subject to the control of the president. Like-

wise, the Interstate Commerce Commission which regulates the railroads is not under any department, nor is the Trade Commission, created in 1914, or the Federal Reserve Board created in 1914. These are appointed by the president and subject to him directly.

With these and a few minor exceptions all of the work of the government is under the ten members of the cabinet who in turn are directly responsible to the president. The president is thus in supreme control of the entire machinery of government. He is able to carry out the duty which the Constitution places upon him, "to see that the laws are faithfully executed."

Whenever a law is passed by Congress, the duty of enforcing it is usually put upon some office already existing. Thus when an appropriation is made to erect a public building, the work is carried out under a bureau in the Department of the Treasury. A law relating to the postal service naturally is left for enforcement to the postmaster-general. A law relating to agriculture, labor, or commerce, is left to the agriculture, labor or commerce department as the case may be.

As the business of government grows, or as new matters are taken up, new departments or offices are created. This will probably continue because the business of government is expanding, and more and more things are being done by the government.

**The Executive Department of the States.**—The states likewise have a set of officers who enforce the



laws and who do the state's work and they, too, add new officers from time to time as new work requires.

The chief officer in the state is the governor who is directed by the state constitution to see that the laws of the state are faithfully executed; but he does not have the power to do so which is given to the president. We have seen that every officer in the United States government is subject to the president. The governor has such power over only a very few of the officials of the state government. Besides the governor, the states elect a number of officials who are nearly, if not entirely, independent of the governor.

The secretary of state, treasurer, auditor or comptroller, attorney-general, and in some states several other officers, are elected and are not subject to the governor. The legislature, in passing laws, puts many of the duties of enforcement upon these officials. So it happens that authority is divided and while the governor is charged with the duty of enforcing the laws, he has not the power like the president to do so.

Many new boards, commissions and offices are being created to do new work which the state undertakes. In the states the tendency is to create independent offices instead of making the new positions a part of an existing office. This has resulted in a great number of boards, commissions and offices subject but slightly to the governor, who makes the appointments but usually may not remove the official.

Since power is so divided among many officials the governor is not in a position to see that the laws are



faithfully executed. The president can be held directly responsible if a bad condition is allowed to exist in any department of the United States government because all the officers are subject to his orders and may be removed by him for disobedience, but the governor can not be held responsible for conditions in much of the state work because he has no control over most of the officials.

The better way is to give power to some one central official like the governor and hold him responsible for the work of those appointed by him. That is the way big business affairs are conducted. Every big business has a general manager to whom all departments of the business are responsible. State governments ought to profit by the examples of business and, also, the experience of the United States government. If the same system were applied to the states the people would elect only a governor and lieutenant-governor and all other officials would be appointed by the governor and be subject to his control.

**The Executive Department of Cities—The Federal Plan.**—The cities have likewise a problem of providing a system of officials and workers to do the work which the city has to do and to carry out the laws and ordinances which are enacted for the common benefit. There is much difference in the way cities organize their work. One form is similar to the plan of the United States government and is called, therefore, the federal plan. Under this, the people elect

a mayor and perhaps one or two other officers and then all other officials are appointed by the mayor and are subject to his control.

**The Commission Form.**—During the last fifteen years the commission form of government for cities has become a favorite plan. Under this form, the people elect commissioners—usually three or five—and give them complete power both in making laws and enforcing them. They are the city council and the executive officials all in one. They appoint all the city officials and employees and have control over them.

**The Business-Manager Form.**—A modification of this plan has recently come into favor under which the commission appoints a business manager who is given full charge over the whole executive force of the city. This is like a business corporation where the stockholders elect a board of directors and the directors elect a manager who conducts the business. In the city, the people are the stockholders, the commission is the board of directors, who make general plans and vote the money, and the manager has direct charge of the city's business.

The work of the city is so largely a matter of business management that this plan of business organization is admirable. The building of streets, sewers and public buildings, the cleaning of streets, building of playgrounds, parks and boulevards, the management of police and fire departments, water-works, gas and electric light plants are matters which require

the highest grade of business management. The system which is most likely to be successful is one which centers responsibility in a manner similar to that of a business corporation.

**Execution of Laws by Counties and Townships.—**

The counties, townships and other districts into which the states are divided are also provided with a set of officials to do the work which the law assigns to them. The counties, townships and other districts are not independent districts but are subdivisions of the state. These divisions are made for the sake of convenience in the accomplishment of local work. They do not make laws for themselves but they do the work which is needed under the laws which the state legislature lays down. Thus, the counties and townships have charge of the building of roads for local needs, but they act according to the detailed provisions of state laws in doing so and not according to their own pleasure.

In some states, the county has important duties in connection with building roads and other works, recording deeds and other papers, enforcing law through the sheriff and prosecuting attorney, and caring for the poor. In other states, the county is not of much importance but the township is the principal agent of the state in local government. In still others, both the county and township are important.

In counties, the laws are executed through the boards of supervisors or boards of county commissioners and a number of officers, chief among whom



are the sheriff, recorder, clerk, treasurer and auditor. Much of the county work is merely clerical, being principally the matter of keeping official records.

**The Problem of Execution of Laws is One of Fixing Responsibility.**—The problem in carrying out the laws in nation, state, or local government is one of fixing responsibility upon some person to see that the work of others is properly performed.

In the nation we find that from the lowest to the highest officials, responsibility is definitely fixed. The secretary of state is responsible for every person in the foreign service; the secretary of the treasury is in control of all the customs officials and revenue collectors; the attorney-general directs the work of every United States district attorney; the postmaster-general controls every postmaster; and the other cabinet officials control their departments similarly. At the top is the president with power to control the whole. The system is known as a centralized form of government.

In the states, on the other hand, the work is, as we have seen, scattered among many heads, each responsible to no single person. The principal officers of the state government which correspond to the cabinet of the president are not responsible to the government. Again, much of the work of the state is performed through the counties and townships, yet in only a limited way are the county and township officials who do the work responsible to the state offi-

cials. The attorney-general of the state can not direct the work of the district or prosecuting attorneys as the United States attorney-general directs the work of the United States district attorney. The state highway departments may only partially direct the work of local road officials. In nearly every state the sheriff who is the principal officer of the county in enforcing the state's laws is not responsible to any state official. This system is called a decentralized form of government.

The cities show examples of both centralized and decentralized form. Some divide the work among many heads; others make the mayor responsible; while others put all power in the hands of a commission who in some cases make a business manager the responsible head.

**The Work of the States and Nation is Distinct.**—The persons who execute the work of the United States government have no control whatever over any of the persons who do the work of the state and local governments. Not a single federal official—not even the president—has a right to dictate to the most unimportant official of the state, county, township or city.

**The State Controls Cities, Counties, Townships, etc.**—Since, however, the cities, counties and townships are agents of the state, in executing state laws one would expect that the executive official would be subject to some control by state officials. This is not the case, however, except in a few instances. The



legislatures have full control over the counties and townships, and in most states over the cities, but they have not seen fit to give very much control to the state officials. The legislature may lay down duties for local officers, but they give no one power to compel them to perform them. There are a few cases where the governor may remove local officials, and some power is given to state superintendents of public instruction over local schools, and to state highway officials over local road officials and to state health boards over local health officials. In some states, local officials are compelled to make certain reports to state officials and in others the accounts of local officials are subject to examination by state officers. These checks help to make government honest, but they do not necessarily make responsible government.

**System of State and National Aid.**—The system of granting aid or subsidies has been invented to encourage all our governments, national, state and local, to work together in harmony for common causes. In its most common form, that of state aid to schools, it is provided that aid shall be given on condition that a satisfactory school is maintained. It is merely a partnership between the state and local government by which the state puts in part of the money to maintain the school and asks in return that the local authorities see that the proper kind of school is maintained. When the local authorities fail to live up to the agreement, the aid is withdrawn. The state

also enters into partnership with the counties and townships in building roads. The agreement provides that the state will pay part of the cost of building the main roads if they are built in accordance with the specifications of the state.

The national government enters into a partnership with the states in maintaining the state militia, known as the National Guard. The nation agrees to pay part of the expense and the state agrees to keep the Guard up to a certain standard of efficiency. When the state fails in its agreement the national aid is withdrawn.

These are examples of what has become the most effective means of getting government work performed.

The local governments are encouraged to undertake and to do work of common benefit to themselves and the state; and the states are encouraged to undertake work of common benefit to themselves and the nation. Direct control is avoided but the results are more efficient.

### QUESTIONS FOR INVESTIGATION

Read the provision of the United States Constitution relating to the president and vice-president. What does the United States Constitution say about the cabinet?

Read the provision of your state constitution relating to the executive department. Relating to cities. Relating to counties and townships.

What is the value of making one man responsible for

the conduct of affairs as is done in the United States government?

Name your township offices. The county offices. The city offices. The state offices.

Do state officers enforce United States laws?

Do federal officers enforce state laws?

Do county officers enforce state laws?

Do township officers enforce state laws?

Can the president direct the work of county, township or city officers?

What is meant by the "short ballot"? Discuss its merits.

Give reasons why the system of giving state or national aid is effective in getting work done.

Would it be a better system if the governor were given the right to compel any state, county, city or township official to do his duty.

### QUESTIONS FOR DEBATE

Resolved that the cities should adopt the commission-manager form of government.

Resolved that commission government for states would be preferable to the present form.

Resolved that the state should elect a governor and lieutenant-governor and leave the appointment of all important officers to the governor.

### WHERE TO LOOK FOR FURTHER INFORMATION

Finley and Sanderson, *American Executive and Executive Methods*.

Howe, *Modern City and Some of Its Problems*.

Chap. IX "Recent Charter Changes."

Ryan, *Municipal Freedom*.

Bryce, *American Commonwealth*.

Chap. V "The President."

Chap. VI "Presidential Powers and Duties."

Chap. IX "The Cabinet."

Chap. XLI "The State Executive."

Chap. XLI "The Working of State Government."

Chap. XLVIII "Local Government."

Debaters' Handbook, *Commission Plan of Government*.

WHERE TO WRITE FOR FURTHER  
INFORMATION

Public Officials—National, State and Local  
(For specific information affecting their offices).

Short Ballot Organization.

National Municipal League  
(Form of city government).

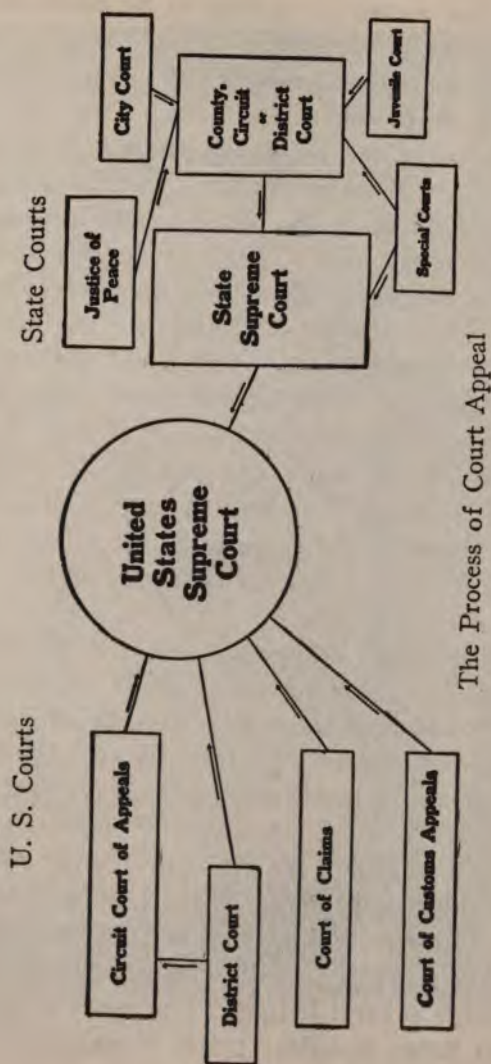
## CHAPTER XXI

### THE SYSTEM OF COURTS

Our next inquiry has to do with the provisions made for settling disputes which arise between men over their rights; deciding whether a man has broken the laws and should be punished; and whenever necessary, defining the meaning of laws so that people can better understand their application. For these purposes, courts are created, and everybody has the right to appeal to the court whenever he feels that he has been wronged.

**Many Kinds of Courts.**—There are many courts because there are many questions to be settled. The close relations in which people work bring many disputes over property. We can see this from ordinary experience. The breaking of one of the hundreds of rules which have been established to protect people from dangers to life and property brings up a multitude of cases where persons have broken a rule and ought to be punished or have violated a right and should give compensation. The very size of the problem and the difficulty of making a rule or law cover all possible cases, bring a great amount of work to the courts because a person does not know





what the law means as applied to his particular case and the courts must decide.

To meet the needs for courts there are established city courts, state courts and national courts. There is usually but one city court, though it may have several judges. The state courts, in most states, consist of the justices of the peace courts in townships; the magistrate's, county, circuit or district court; and the higher court usually called the Supreme Court. In many states, the press of business has made necessary other courts for the purpose of handling certain kinds of business. The federal court consists of the district courts usually composed of one or more states; the circuit court of appeals of which there are nine, and the Supreme Court. These courts handle cases over the same territory. They overlap and yet each has its particular work and the whole goes on smoothly.

**The City Court.**—The city court is for the purpose of punishing persons who break the laws of the city, and sometimes those who commit offenses called misdemeanors under the state laws. It does not handle cases of disputes over property. In the larger cities hundreds of cases are decided every day in the city court. They are mostly cases of people arrested for drunkenness, petty theft and disorderly conduct. In some cities, what is called the municipal court takes the place of the city court. Such courts usually have several judges. The work is divided so that each judge handles certain kinds of cases. He



U. S. Supreme Court Chamber



A Trial Court

thus becomes familiar with the way of handling such cases and can despatch business more quickly. In Chicago, one judge handles all the cases of persons arrested for driving too fast. His court is known as the speeders' court.

**The Justices of the Peace.**—The lowest state court is that of the justice of the peace. Here the most petty cases can get a hearing. Sometimes disputes involving perhaps not more than one dollar are heard and settled. For the country district, the justice of the peace courts have the same class of criminal cases as the city courts in cities. In cities, they get part of the business which might go to the city courts and thus overlap the city court to a certain extent. Cases of any great importance are not heard before the justices of the peace. Usually, they can not try cases when the amount involved is very large. The justice of the peace is elected, almost everywhere, by the voters of the township. The compensation, is small and lawyers seldom take the office.

**The County or Circuit Court.**—The county, circuit or district court is the next higher state court. Here the more important cases are begun and tried. To this court, also, persons may appeal from the justice court and the city court, if they do not think they have had a fair trial, or that the right result has not been reached. When the business becomes too heavy for the court, as in counties having large cities, it is often divided—one branch handling all cases of persons accused of crime and the other



handling civil cases. Several branches may be required to do all the business and the court may have several judges. The county or circuit courts are presided over by judges who are usually elected by the people.

**The Juvenile Court.**—The juvenile court is a court created to handle children's cases. Here, the children who have been truants from school or who have committed petty crimes are brought. A separate court is provided because it is dangerous to the child to make him associate with older criminals in the justice of the peace, city or county court. Child crimes are usually not vicious crimes and if the bad child can be talked to by a kindly judge and not made to feel too keenly his wickedness, he will be benefited by being brought before the court. To bring a child into the court where hardened criminals come, often makes him also a hardened criminal. Parents who neglect their children are brought before the juvenile court. The court is designed to protect children in every way possible. Through this court, when conducted by a good judge, many children have been reformed before they have become real criminals.

**Courts of Appeal.**—The courts we have been discussing thus far are known as trial courts because cases are actually tried in them. The evidence is presented to the judge or jury, witnesses are heard the lawyers argue the case and the decision is made.

The Supreme Court or other court of appeals is not a place where trials take place. Men do not

appear with evidence and witnesses. It is a place where persons appeal when they think they have not had a fair legal trial in the lower courts. The Supreme Court goes over the arguments and decides whether such appeal is justified. If the judges of this court decide that the lower court did not do justice because of some error, they may reverse the decision of the court and order a new trial, or they may change the judgment of the lower court. In most cases, the decisions of the Supreme Court are final except in cases where a claim is set up that the United States Supreme Court has a right to pass upon the question. The state Supreme Courts have the final word; but in criminal cases the governor, in nearly all states, may grant a pardon, or reduce the penalty. The judges of the Supreme Court are usually elected by the people, but in a few states are appointed by the governor.

**United States Courts.**—We have already seen that the national government has nothing to do with most of the ordinary relations of men. It does not settle ordinary disputes over property and does not regulate the ordinary affairs of people. Its laws relate to matters which are wider in their interests than a single state. By reviewing the subjects upon which we have found that the federal government has authority, we also learn the subjects with which the federal courts deal. Besides these, should be mentioned the fact that the federal courts deal with matters of dispute between citizens of different states,

also between two states, and between a state and the citizens of another state.

**The United States District Court.**—The lowest federal court is the district court. There are at present one hundred and three district courts each comprising a territory consisting of a part of a state or a whole state or several states. This court is presided over by a district judge appointed by the president for life. In this court suits are begun and tried.

**The United States Circuit Court of Appeals.**—Whenever any person is not satisfied with the results in the district court he may appeal to the circuit court of appeals which consists of three judges also appointed by the president for life. This court may require a new trial in the district court or may change the judgment of the district court.

**The United States Supreme Court.**—The United States Supreme Court is the highest court in the land. It consists of nine judges appointed by the president for life. To this court questions may be appealed from the circuit court of appeals or district court. Appeals, also, come to this court from the state Supreme Courts in cases where it is claimed that the federal Constitution is violated or that it is a matter subject to federal law.

Questions of the greatest importance only get to the United States Supreme Court, and that body is constantly deciding such questions. This court, like the higher courts in the state, does not try cases but hears the arguments based upon the case as pre-



sented in the lower court. Their decision may grant a new trial or may change the decision of the lower courts. When the Supreme Court has decided, there is nothing more to be done; the decision must be accepted. The president may, however, pardon or commute the sentence of any person who has been convicted of a crime under the federal laws.

**Special United States Courts.**—There are in the United States several special courts which deal with only one special class of cases. The most important of the special courts are the Court of Claims, and the Court of Customs Appeals. These courts are necessary because of the great number of cases in these fields which would take all of the time of the regular courts if the business went to them. The judges in each of these courts are appointed by the president for life.

**Court of Claims.**—The Court of Claims hears and decides claims against the United States. Such claims are numerous because of the vast range of the United States' business. Any person who is not satisfied with the decision of this court may appeal to the Supreme Court.

**Court of Customs Appeals.**—The Court of Customs Appeals deals with questions arising out of the importation of goods into the country and the payment of duties. For purposes of levying a tariff, everything is classified and the customs house officials determine the class to which goods belong. The owner of the goods may not be satisfied with

the decision of the customs house officials and may appeal to the Court of Customs Appeals.

In all of these special courts as in the special courts of the states, counties and cities, wherever they exist, the judges can become experts in the particular class of cases settled. They may thus do the work of their courts more speedily and accurately.

**The Jury.**—In all courts, the jury is the body which makes the decision as to the facts of any case. A person charged with crime is entitled to have his case decided by a jury. Usually in all important lawsuits either party may demand a jury.

The jury consists of twelve persons, but in minor cases a jury of six is sometimes used. The jurors are chosen by lot from a box and if neither side objects to a man whose name is drawn, he sits as a juror. The decision must be unanimous in criminal cases, and usually in civil cases. In a few states, however, a three-fourths or two-thirds vote may give a verdict in civil cases.

### QUESTIONS FOR INVESTIGATION

Review the provisions in the United States Constitution relating to courts. Review the state constitution's provision relating to courts.

Name all the courts in your community from the justice of the peace up. Make inquiry of lawyers or others and write an accurate statement of facts about the existing courts.

How are the judges selected?

What cases are begun before the justice of the peace?

To what court may the person who loses in the justice of the peace court appeal?



What is the final court of appeal in your state? (See your state constitution.)

Where would the following cases be tried: (a) Suit for damages amounting to ten dollars? (b) Suit for payment for a debt amounting to five hundred dollars? (c) Suit against a person charged with drunkenness? (d) Suit against a person charged with burglary? (e) Suit by a citizen of New York against a citizen of Indiana amounting to one thousand dollars? (f) Suit of the state of Illinois against a citizen of Pennsylvania?

What is the advantage of giving the right of appeal to higher courts?

What advantages are there in having special courts such as probate court, juvenile court and criminal court?

### QUESTIONS FOR DEBATE

Resolved that no appeal to a higher court be allowed when the amount is less than twenty-five dollars.

Resolved that judges of all courts should be appointed instead of elected.

### WHERE TO LOOK FOR FURTHER INFORMATION

Baldwin, *American Judiciary*.

Bryce, *American Commonwealth*.

Chap. XXII "The Federal Courts."

Chap. XXIII "The Courts and the Constitution."

Chap. XXIV "The Workings of the Courts."

Chap. XLII "The State Judiciary."

### WHERE TO WRITE FOR FURTHER INFORMATION

Clerk of the United States Supreme Court and of the District and Circuit Court of Appeals in your district or to the judges.

Clerk of the State Supreme Court or judges.

Clerk of the District, County or Circuit Court.

Make inquiries of local lawyers.

## CHAPTER XXII

### HOW THE COURTS WORK

People are more interested in the way the courts work than in the form of the courts themselves. Everybody has need at some time in his life to use the courts for some purpose. Everybody needs to know something about how he may use them when the occasion arises. Everybody should know how the courts, as well as other departments, work, because he can then criticize more intelligently when he thinks things are not done right. Probably if we knew the conditions under which officials work, we would have better government because there would be intelligent criticism.

**The Purpose of Courts.**—There are two main purposes of courts:

To settle disputes between persons concerning personal or property rights.

To determine whether a person has committed a crime and to fix his punishment.

The first is called civil procedure and the second is called criminal procedure.

**Civil Procedure.**—Civil procedure includes the settlement of disputes which arise in many ways. Some of the important occasions for disputes may be mentioned.

Money due to one person from another. The man owing the money may have refused to pay, claiming he did not owe it, or that it was not a just debt, or that the amount was not correct.

Contracts or agreements made between two or more persons. Any party making an agreement or contract may be forced to carry it out or pay the damages caused by the failure to do so.

Title to property. Determining who is the rightful owner of property in dispute.

Settling a person's estate upon his death. This consists in paying all just claims and distributing the property according to the terms of a will if one is made or according to established law if a will is not made.

Damages caused to another. This may arise by doing some harmful act to another or in failing to perform some duty, which results in damage.

These are some of the chief causes, but there are many others.

**Beginning Suit.**—To get any matter into court the person who claims any damage or right from another makes a complaint in writing to the court, and the court issues a summons to the party complained against to appear and answer the complaint by a certain day. This process begins the suit. One person is said to sue another. The one who sues is called the plaintiff, the one sued is the defendant.

In small matters, the suit is brought before the justice of the peace. Any person summoned must

appear or else he will forfeit his case. A date is fixed for the trial. In most cases either side may ask to have the matter decided by a jury instead of by the justice. Each side may compel any person who knows anything about the case to appear as a witness. This is done by the justice issuing a subpoena ordering the witness to appear.

**The Trial.**—The lawyer for the plaintiff opens the case stating what the plaintiff claims. The lawyer for the defendant follows with the statement of his client's case. The witnesses for the plaintiff are called and testify what they know about the matter. The lawyers of both sides question the witnesses to bring out all the facts. The witnesses for the defendant are called and examined. Then the lawyers, for each side, sum up the case and make their argument. The jury then decides, according to the weight of the evidence, which is right, and fixes the amount of damage or other claim.

**Appeal to Higher Court.**—If either side is not satisfied, it may appeal to the higher court—the county court or as it is sometimes called, the circuit or district court. Here the trial is conducted in the same way, but there is much more formality about it and, of course, the judge being an able lawyer, is more likely to avoid errors in the trial than a justice of the peace who may not be well versed in the law.

If the case is an important one amounting to more than a few dollars, it is not tried before a justice of the peace at all, but begins in the county or circuit



court. The procedure to begin a suit in that court is the same as in a justice of the peace court, that is, a complaint is made, summons issued, witnesses subpoenaed, and trial held.

In either case, whether the suit is begun in the county court or appealed from the justice of the peace, one of the parties may not be satisfied with the decision. He may think that he has not had a fair trial or that some of the proceedings were not legal. He may appeal to the state Supreme Court or to some other higher court, if such exists, which is organized to hear appeals. This court does not try the case. It merely hears the argument of lawyers as to whether a fair trial has been had according to law in the county court. If this court finds that the trial has been fair and was conducted according to law, it affirms the case, but if it thinks there is doubt, it may order a new trial by the lower court, or it may reverse the decision without any further trial and change it as it thinks right.

**The Chance is Given for a Fair Trial.**—It will be seen that plenty of chance is given to any person to get a fair hearing of his case. After his case has been decided by a jury, he is given the chance to have it reviewed by able judges. Most cases are not appealed because it is plain after they have been tried who is in the right. Sometimes, however, cases are appealed by men or corporations who have plenty of money, hoping that they can thus wear out their opponent if he happens to be poor. It costs much



money to carry a lawsuit through and then appeal to the higher courts or fight the appeal which the other side takes. Sometimes, justice is defeated in that way because a rich man may appeal a case, even when he is clearly in the wrong.

**Costs.**—The costs are paid by the parties but are usually charged against the loser. This helps to prevent appeal because the loser with a bad case would only make his loss greater by piling up more expense by appealing. The poor man, however, fighting an appeal would have large personal expense and high lawyers' fees and he is often driven to an agreement by which he settles for a smaller amount for fear of the expense of the appeal.

**Not all Cases Come to Trial.**—Of course, not all cases come to trial. It often happens that the defendant knows he has no case and will settle before the trial. Often the plaintiff brings the suit to force from the defendant a settlement of a just debt. Sometimes the matters in dispute are settled by compromise—each side giving up certain points—and the lawsuit is avoided. This is, of course, the better way.

**Enforcement of Decisions.**—So far we have discussed the trial and decision. When the judgment is rendered the next matter is to enforce it. Suppose the trial results in a decision that the defendant owes the plaintiff a sum of money, as damages or debt. Then, the court gives the plaintiff a judgment, and if the defendant has property of his own he can be forced to pay or have a certain amount of prop-

erty taken and sold to pay the debt. The possible harshness of this process on the poor has resulted in most states in exemption laws which permit a man to have a certain amount which can not be taken for debt. Household goods are usually exempt and also workmen's tools.

If the dispute has been over the possession of property, the court awards the property to the successful person. Then, if the other person refuses to give it up, he may be compelled to do so by the court.

**Power of the United States Courts.**—It may happen that a person living in one state has cause to bring a lawsuit against a person living in another state. Where can he begin it? It is plain that one state can not control the citizens of another, so it would be useless to issue a summons. The citizens of the other state would not obey it and could not be made to obey it except by the action of his own state. Even if the person should be willing to have the suit tried, the judgment could not be enforced by a state outside of its borders. The plaintiff might go into the state where the defendant lives, but in many cases that would put him at a disadvantage.

A greater power than a state's is needed and the United States courts take such matters under their control in such cases. They also are the courts to which suits begun by one state against another state or against a citizen of another state are brought. They also try all cases arising under the laws of the

United States. Some of these cases are: Matters of dispute arising in territories or in the District of Columbia—these being under the sole control of the United States law; patents and copyrights granted to protect an inventor or writer, i. e., if any person makes an article which an inventor has patented or prints and sells copies of books which have been copyrighted, the inventor or author may sue for damages in the United States court; matters affecting foreign commerce and commerce between the states; matters affecting ambassadors and consuls and citizens of foreign countries; bankruptcy matters.

**Procedure of United States Courts.**—The method of bringing a suit is the same as in the state courts. The case is begun in the district court. The plaintiff makes complaint in due form and a summons is issued by the district judge. The parties appear and the case is tried either with or without a jury. The losing party may appeal to the circuit court of appeals where arguments are heard. This court does not try the case again. It merely decides whether a fair legal trial has been had in the district court. It may reverse the decision, uphold it or order a new trial. The loser may still appeal to the Supreme Court which is the last resort. Its decision is final.

The judgment of the United States courts are enforced in a manner similar to that in state courts. Usually the cases are of greater importance and there are few failures to execute the judgments of these courts. The United States courts, having better paid



judges appointed for life, are abler courts than the state courts. The business is conducted with more dignity and better facilities are provided for conducting a case. The lawyers who practise in the United States courts are usually the ablest lawyers. It is a real distinction to argue a case before the Supreme Court of the United States. The judge tries a large part of the cases without a jury. An able judge may thereby get through a case more quickly.

**Criminal Procedure.**—Any person who breaks a law prohibiting the doing of an act is subject to arrest and punishment. Society, in making its rules, provides for their enforcement by punishing violators by a fine, imprisonment or loss of privileges. Violations of law are called crimes. When a violation takes place, the person may be arrested by a police officer, if the officer has evidence that the person has committed the crime. A citizen may also arrest a person whom he knows to have committed a felony. Usually, the arrests made by the police are for crimes which they see committed or of which they have certain evidence. But arrests for the more serious crimes are usually made upon a warrant issued by a court after information has been given by a person or prosecuting officer charging a crime, or after a grand jury has presented an indictment charging a crime.

**Methods of Charging a Person With Crime.**—The following examples will show how the machinery of prosecution is usually put into operation:

A policeman observes a man breaking the speed

laws and he arrests him on the spot without a warrant.

A person who has had property stolen may go before the proper court and charge under oath that a certain person is guilty of the crime. The court may issue a warrant for the arrest of the person named which is then served by a police officer.

The prosecuting officer, having knowledge of the commission of a crime, may swear out a warrant from the proper court and cause the arrest of the person by a police officer.

The grand jury may, after an investigation, bring an indictment against a person in which case a warrant is issued as in other cases of arrest. This, being the usual method of charging serious crimes, will be more fully described here.

**The Grand Jury.**—The grand jury consists of a number of jurors who are sworn to investigate the evidence of crimes. The prosecuting officer directs their work. He lays before them all evidence which he may have. Witnesses are called and questioned. The work is done in secret. The grand jury hears only one side of the case merely to determine whether there is enough evidence of guilt to warrant charging any person with the crime. If the jurors think there is evidence enough they bring an indictment which charges the person with the crime.

The grand jury system has been attacked because it works in secret, hearing only one side, and often brings an unjust charge. While a charge is not proof



of guilt, it creates suspicion, and a good man's name is often sullied by an indictment. However, if the work is done conscientiously, there is little danger because good men will hesitate to bring a charge unless there is some foundation.

**Minor Offenses.**—In cases of minor offenses the persons arrested are taken before the court at once. In the cities, these cases come before the city court; in the country before the justices of the peace or similar officers. A large number of the cases are disposed of without much formality. A police judge will often hear and dispose of hundreds of cases in a single day. Most of those brought before the court are guilty, but there may be some satisfactory explanation to be made by them. The judge imposes fines or imprisonment. Many persons are let off on promises to do better, as in cases of persons accused of drunkenness, or of disorderly conduct, or of youth accused of minor crimes. It is becoming the practise in progressive courts to impose a sentence and then suspend it. The person is then let out on good behavior. If he does not keep his agreement, the sentence is carried out.

Whenever a case of serious crime comes before the judge or justice of the peace, it is not usually decided, but the person is held for the grand jury and the evidence is presented then. Many persons charged with crime and sentenced by the police judge appeal to the higher court where they may be tried by a jury.

**Rights of Persons Accused of Crime.**—In the olden times persons were thrown into jail on mere pretexts and harshly treated. Such things are impossible to-day in any enlightened state. When a person is charged with a crime he has certain rights guaranteed by the Constitution. He may not be harshly treated. He is entitled to the services of a lawyer and if he can not afford it, the state furnishes one. In a few places, notably Los Angeles, California, there is an official known as the public defender whose duty it is to defend persons charged with crime thereby insuring that the person is given a fair chance. The prisoner is entitled to be freed if he can furnish bail bonds except in the most serious cases. He may compel persons to appear at his trial and testify. He is entitled to a speedy trial by a jury and, in all states, he is presumed in law to be innocent until he is proved guilty. Thus every possible safeguard is thrown around the accused to insure justice.

**The Trial.**—When a person has been charged with a crime in any of the ways set forth, he is brought before the court and the charge is read to him. He may plead guilty or not guilty. If the plea is guilty, the court imposes a sentence, but if a plea of not guilty is entered, the date of trial is fixed and upon that date the trial proceeds, unless postponed for cause.

In the trial, the prosecuting attorney represents the people. He opens the case, setting forth the

main facts upon which the charge is founded and announces what he expects to prove. The witnesses for the prosecution are called and examined by the prosecutor and cross-examined by the attorney for the defense. When the evidence against the person is all in, the attorneys for the defense make a statement of their case and call their witnesses. These witnesses after examination by the defense are cross-examined by the prosecutor. When all the evidence is in, the attorneys sum up the evidence and make their pleas to the jury, the prosecutor having the last plea. The judge next gives his instructions to the jury pointing out the rules of law which apply to the case. The jury then retires and considers the case. In civil cases we have seen that the jury decides upon the weight of evidence. In criminal cases, however, it is not the weight of evidence upon which the jury decides but proof is required beyond all reasonable doubt. It is not a light matter to convict a person of a crime and our sense of justice demands that the proof of guilt be clear. This results, sometimes, in letting guilty persons go free, but it is better that a few guilty persons should go free than that an innocent person should be found guilty and punished.

The verdict of the jury must be unanimous. If there is not a unanimous vote one way or the other after a reasonable time the judge dismisses the jury and the case must be tried again. If the verdict is "not guilty," the prisoner is released. If the verdict



is "guilty," the judge pronounces sentence, but an appeal may be taken to the higher courts as in civil cases. Any person who has been pronounced "not guilty" may not be tried again for the same offense, even though additional evidence against him might be discovered.

**Criminal Procedure in United States Courts.—**

Criminal procedure in the United States courts, which we have seen has only a limited field in the matter of crimes, is similar to that above described. Cases involving the violation of federal laws such as the postal laws, banking laws, interstate commerce laws, etc., come before the federal district court. There is a federal grand jury which is similar to the state grand jury. The United States district attorney is the prosecuting official. The trial is held in practically the same fashion. An appeal may be taken to the circuit court of appeals and from there to the Supreme Court by any person found guilty. In some cases a suit which has been finally decided by the state courts may be appealed to the United States Supreme Court. There is a provision in the United States Constitution that no state shall take any person's life, liberty or property without due process of law. Whenever any person claims that he has not had due process of law, he may appeal his case to the United States Supreme Court which may reverse any decision of the state courts found to violate the provision requiring due process of law. There are, also, other limitations placed on the states by the United

States Constitution and when they are violated, an appeal may be taken to the United States Supreme Court.

**Declaring Laws Unconstitutional.**—The courts often find that a law which they are construing is in conflict with the constitution of the state or of the United States. In such cases the courts declare that the law has no force because it is in conflict with the constitution and therefore is unconstitutional.

This power to declare laws unconstitutional is an important one because the court may defeat any act which the legislature has passed, and thus have a final hand in the making of laws. The decision of the highest court must often be made before we really know what the law is.

### QUESTIONS FOR INVESTIGATION

Make a list of as many different actual cases involving property rights as you can think of.

Get copies of the forms used by the courts as follows: Summons to answer a complaint. Subpoena of witnesses. Warrant of arrest.

What would happen if a person refused to obey a summons; a subpoena?

In a trial, whether civil or criminal, the parties and the court are very careful not to allow any testimony which does not have a bearing on the case. Why is this important?

Why can not a state court try cases where parties live in different states?

Find all the facts possible about the grand jury and its work.



Make a report upon what the Constitution of the United States says about courts, jury trial and the grand jury. Make a report upon the same subject in your state constitution.

Give arguments for and against allowing the jury to decide in criminal cases by a three-fourths vote. Would the same arguments hold in the case of juries in civil cases?

What good comes from providing for such appeals?

Organize a mock trial. Consult with local attorneys and conduct the trial as nearly as possible like a real trial.

### QUESTIONS FOR DEBATE

Resolved that the grand jury system should be abolished.

Resolved that there should be a public defender as well as a public prosecutor.

Resolved that courts of arbitration should be provided by the states and by the United States where cases should be decided without costs.

### WHERE TO LOOK FOR FURTHER INFORMATION

Same as preceding chapter.

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## CHAPTER XXIII

### PUNISHING DISOBEDIENCE TO LAWS

When laws are made, they become rules to guide the conduct of all people within their range. Like all rules, they must be enforced to be of value. But to enforce them means that something must be done to make people obey. When the law declares that a certain thing shall not be done and people disobey the command, there must be some punishment inflicted, or else there would be continued violations. The ideal of all laws is to prevent crimes, and one of the means of prevention is to make certain that punishment will follow the violation of law.

**Enforcing Laws.**—There are several methods of punishment. A person may be punished by fine, by loss of privileges, or by imprisonment.

**Fines.**—Fines merely compel the payment of money. This is the usual penalty for the smaller offenses, but it is, also, the method in some important cases especially where corporations violate the law. Whenever persons are fined and can not pay the fine, they usually have to serve equivalent time in jail. Fines are not a just punishment because the man who has money can easily pay. A fine does not punish him but it severely punishes the poor man

who can not pay or from whom payment would mean hardship.

**Loss of Privileges.**—The principal loss of privileges to individuals is the taking away of the right to vote or hold office. This punishment usually goes with serious crimes in addition to fine and imprisonment. Loss of office is also inflicted upon officers who are impeached and found guilty. Corporations are often punished by having their right to do business taken away.

**Imprisonment.**—Imprisonment is the most common form of punishment. It is also a much more dreaded punishment than fines or loss of privileges. The fear of imprisonment is an effective way of preventing crime. And when imprisonment is coupled with methods which encourage and help a prisoner to reform, it is doubly effective and helpful.

**Capital Punishment.**—Capital punishment used to be the penalty for many crimes. In England, at one time, as many as two hundred crimes were punishable by death. Gradually the people became more humane, and now only two crimes are punishable by death in this country: namely, murder and treason. In some states, capital punishment is entirely abolished and imprisonment for life is substituted. The evident trend is in the direction of abandoning the death penalty. We shall, doubtless, soon look back on capital punishment as a relic of barbarism.

**Lockups.**—The smallest form of a prison is the local lockup, where persons who are charged with

crime are kept temporarily until they can be removed to jails.

**Jails.**—The counties and most large cities maintain jails where persons who are charged with crime are held unless they are let out on bail, and where petty offenders are confined for punishment. The evil of keeping men confined in idleness in jails has led to the establishment of workhouses and penal farms where prisoners who are sentenced for short time are sent and kept at work.

**Reformatories and Reform Schools.**—Not long ago, all persons sentenced to prison were treated alike. The old hardened criminal and the young criminal were allowed to associate together. Little chance was given for those who wanted to reform and do better. Recently, we have begun to see that it is best to give prisoners an opportunity and encouragement to reform and especially young prisoners who may not be very bad, but, through bad associations or by mistakes, may have violated the law and got into prison. The most progressive states have therefore made a distinction between the young prisoners sentenced for lesser crimes, and the older criminals sentenced for vicious crimes. The young are therefore sent to reformatories and the old to prisons or penitentiaries. The young boys and girls are sent to reform schools, and thus they are given a special opportunity to do better. The best division is that all boys and girls up to seventeen be sent to reform schools, all men and women from

seventeen to thirty be sent to the reformatories, and all confirmed criminals and those over thirty be sent to the prisons or penitentiary. Special institutions are provided for women and men and for boys and girls in the best systems.

In the reform schools and the reformatories, every influence that can help a prisoner to be a good citizen is employed. The hope is, always, that if a man gets started right again, he will continue to be a good man and may be let out of the reformatory at the end of his term without endangering the safety of others. One of the best means employed is to teach the prisoners a means of livelihood. Trade schools are a feature of all good reformatories. Here, men are given a chance to learn a trade whereby they may make a living when they get out of prison. Very few people who get into reformatories and prisons are skilled in any trade. Few who learn a trade in a reformatory go back to evil ways. Most people see that reformation is the proper end of punishment, for many criminals are thus helped back to a good life.

**Prisons and Penitentiaries.**—The worst criminals are sent to prisons or penitentiaries. But they are no longer treated with the harshness of former days. Solitary confinement and dungeons are abandoned except for temporary punishments. Prisoners no longer live continuously in cells like caged animals. In almost all prisons they are now kept at work. They are under strict control and are confined sepa-



rately in cells at night. They are given many opportunities to read and study. They often form bands and orchestras, organize baseball teams, and do many other things which tend to help them. Prisons have become wholesome and sanitary and the care of prisoners has become humane.

**Penal Farms.**—Penal farms are distinctly reformatory in character, the idea being that a real cure for a prisoner who has not become a hardened criminal is more likely to be accomplished by getting away as far as possible from the old-time prison routine and keeping the prisoners employed in outdoor farm labor. Such labor puts a person in fine condition physically, gives him a vigorous occupation, trains him in modern agricultural methods, and gives him an occupation which, after he leaves prison, may keep him from his old city associates and bad habits. While many state prisons, reformatories and reform schools have farms as a part of the prison plant and keep a small part of the prisoners at work on them, the so-called penal farms are usually separate institutions for prisoners serving short terms, or are substitutes in large cities for the old time workhouse.

**Employment of Prisoners.**—One of the principles of modern prison science is that prisoners should be given occupations. Idleness is extremely bad for prisoners. Prisoners are, therefore, pressed into service to render actual help in making goods for the up-keep of the institution, and to raise farm produce

and to provide various kinds of supplies and furniture for other institutions.

**Defective Prisoners.**—A new idea is coming into practise in the treatment of prisoners. It is recognized that there are often physical or mental causes for crime. Persons convicted are, therefore, in many places being carefully examined to determine their condition. Often it is found that a prisoner is insane, epileptic, feeble-minded or otherwise defective and should be sent to a hospital instead of a prison. Persons who think about such matters are hoping that at an early date all persons accused or convicted of crime shall be examined to see whether they are mentally responsible.

**Indeterminate Sentence and Parole.**—It is becoming more and more the custom to sentence offenders for an indefinite period, usually with a maximum and minimum period indicated, the time of release being dependent on good conduct. Criminals are removed from society because they are dangerous to society, but as soon as they have shown to the authorities that they are no longer dangerous, their confinement should end. Parole is the term applied to such release.

A paroled prisoner is allowed to go free on certain conditions. If he keeps his promise as to his conduct and reports regularly to the officials, he is either paroled for a longer period or released absolutely. If he fails to keep his promises in any way,

he is sent back to prison without a new trial and resumes his original sentence.

**Suspended Sentence.**—The court sometimes suspends the sentence, that is, the prisoner is let go on probation and as soon as he shows he is not trying to reform, the court proceeds to carry out the sentence. If his reform seems permanent, he will in all probability never serve his sentence.

**Probation.**—A child when brought before the court for the first time and sometimes for later offenses is seldom sentenced to an institution, even if convicted of crime, but released on probation. He must report at certain intervals to a probation officer who is either a permanent court officer or some person appointed by the court to be a friend of the child. As long as the probation officer receives satisfactory reports, the child is free. An effort is made to help him by means of his school or home surroundings or through his employers. Adult probation is quite similar. First offenders are sometimes not sentenced but are allowed to go free and required to report regularly to the court.

**Pardon—Reprieve and Commutation.**—Prisoners may escape punishment or have it lessened or delayed through official pardon, commutation of sentence or a reprieve. The president of the United States has the power to pardon federal prisoners. In the states, the power to grant pardons, commutations and reprieves, is a function of the governor.

The governor's pardon is often subject, however, to the advice and sometimes the approval of a state pardon board or council. In a few instances, the pardon is granted by the pardon board of which the governor is a member.

**Aid to Prisoners on Leaving Prisons.**—A prisoner, on leaving prison, often needs financial and friendly assistance in getting a new start in life. Such help is often given by private associations formed for the purpose; but it is recognized in some states as a function of the state to keep in touch with former prisoners and to aid them by advice, letters of recommendation, and loans of small sums when such assistance seems advisable.

**Local, State and Federal Prisons.**—Most of the prisons are state and local institutions. Each state has a state prison. Many states have a reformatory for young men and a separate prison and a reformatory for women. Boys' and girls' reform schools are provided in most of the states. Very few states have penal farms.

The cities maintain jails and some have workhouses. The counties maintain jails and the towns and townships sometimes have local lockups.

The federal government has three large prisons where those who violate United States laws are sent. By an arrangement with states and local authorities, the local jails and prisons are used by the federal government for prisoners sentenced by the federal court for short terms.



## QUESTIONS FOR INVESTIGATION

Why should punishment for crimes be certain?

What are the relative merits of fines and imprisonment as means of punishment?

Are all crimes similar in character? Is there any difference in the character of the crime of stealing and that of exceeding the speed limit?

What is the advantage of sentencing a prisoner and then suspending the sentence during good behavior?

Write all the reasons you can give for a juvenile court to handle all children's cases.

Discuss the value of the indeterminate sentence. Of the system of parole.

How should prisoners be kept employed?

Give all the reasons you can in support of the proposition that the penal system should be based on the idea of reformation and not of vindictive justice.

What provisions are made in your state to help discharged prisoners to get a start in life?

Outline the entire prison system of your state and local community, giving the names and localities of the prisons, workhouses and jails.

What provisions, if any, are there in your state constitution relating to punishment for crime?

## QUESTIONS FOR DEBATE

Resolved that capital punishment should be abolished in all of the states of the Union.

Resolved that prisoners should be employed to build highways.

Resolved that the penal farm is the most desirable form of prison.

## WHERE TO LOOK FOR FURTHER INFORMATION

Henderson, *Penal and Reformatory Institutions*.  
Debaters' Handbook, *Capital Punishment*.



WHERE TO WRITE FOR FURTHER  
INFORMATION

American Prison Association.

National Conference of Charities and Correction.

State Board of Charities or similar body.

## CHAPTER XXIV

### MILITARY POWER

When our forefathers won independence and established this government, they kept in mind the dangers of military power which had been throughout history the principal menace to people's liberty. They recognized the necessity for an army and navy for common protection, but they recognized, also, that the army should be subject to the people in such a way as to prevent the overthrow of the government by successful generals. The Declaration of Independence voiced the sentiment of the people on this subject. One of the principal causes for separation from England was declared to be that the king had "affected to render the military independent of and superior to the civil power," and that he had "kept among us, in times of peace, standing armies without the consent of our legislature."

**Constitution Limited Power of Military.**—So great was the fear of standing armies that the constitution makers in 1787, when fixing the powers of Congress, provided that Congress should have power "to raise and support armies but no appropriation of money to that use shall be for a longer term than two years."

Thus the need to raise and support armies was recognized, but fearing lest the army should become too powerful, it was provided that its supplies would have to be voted every two years. Any attempt of an army to dominate, as in some other countries, would be met by the failure of the money chest. The states put in the bill of rights in their constitutions the provision which generally stated that the military should always be kept strictly subordinate to the civil authorities.

One of the first amendments to the United States Constitution, passed in 1791, declared that no soldiers should in time of peace be quartered in any person's house without the consent of the owner. These provisions all tended to keep the military from any chance to dominate the citizens. But the people went still further in their attempt to safeguard themselves against military power. They gave authority to Congress "to provide for organizing, arming and disciplining the militia and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress."

Here, then, is a complete check to prevent a standing army from becoming a menace. Thus, no money is available for the standing army unless the representatives of the people in Congress see fit to vote it every two years, and the militia of the states, while

under the regulation of the United States and subject to call from the United States, is commanded by men appointed by the different states, the officers being subject to appointment by the governor or other civil authorities in the different states.

**Organization of the Army.**—The army is organized at present in two parts—the regular army of the United States consisting at present (1916) of about four thousand eight hundred officers and eighty-seven thousand men, and the National Guard of the different states consisting of nine thousand one hundred officers and one hundred thirty-two thousand men.

The regular army is in constant service under command of the United States army officers. All expenses in maintaining it are paid by the United States. The National Guard consists of the citizen soldiers. The members of the National Guard are subject to call at any time by the governor of the state or by the president of the United States. They are not, however, in constant service. Usually, they are engaged in their private business, but when the need comes to meet emergencies they must respond to the call of the governor or president.

The National Guard of the states holds annual encampments where military drill is carried on under direction of regular officers of the United States army.

**Cooperation of States and Nation.**—The method of cooperation between states and nation in main-

taining the National Guard is used with the most effective results. The state pays part of the cost and if they maintain a satisfactory standard the national government pays the rest. Frequently, it has happened that the states have been refused aid because they did not keep their guard up to a good standard of efficiency. It is a strong reason for the states to do their best in order to get national aid. By fixing standards, the national government is able to make a consistent army so that if the guard from several states should be called to work together they would be able to do so harmoniously. It is only in extreme cases that the national government calls out the National Guard of the state. The regular army is available and is usually sufficient for any work which the nation has to do.

**Commander-in-Chief.**—The president is commander-in-chief of the army and navy and of the National Guard when called into the service of the United States. The governor is commander-in-chief of the National Guard of the state. In both cases, the actual command is, of course, given to military men, although the final authority rests with the president and governor.

**Uses of Regular Army.**—The uses of the regular army have not been extensive outside of the unsettled regions of the West. Only a small army is under arms at all times. As this is written, plans are under way for considerable enlargement and a contest is on between those who would prepare to meet emerg-



encies and those who believe that our geographical position protects us, without an extensive army—from any foreign foe.

**Uses of the National Guard.**—The uses of the National Guard are not extensive. It is an emergency army. It is called by the governor to put down serious riots and to preserve order in calamities such as floods, strikes and fires. It is frequently used by the governor for police duties in preventing prize fights and gambling where local police officers fail to act. In a few states a special body of state constables are organized to attend to the preservation of order in any part of the state.

**Martial Law.**—Whenever conditions become serious and can not be handled by the regular authorities, whose duty is to enforce the law, the governor for his state and the president for the nation may declare that martial law, which is the rule of the army, is in effect over a given area. In such cases the regular civil officers become subject to the military and the ordinary processes of government are suspended. This extreme power is not often resorted to because the people would be jealous of its exercise. Presidents and governors being the head of the civil government would be very careful to avoid the use of this form of arbitrary government.

### QUESTIONS FOR INVESTIGATION

Why should the military be kept subject to the civil power?

What are the dangers from military power?

Make a compilation of all the provisions of the United States Constitution relating to the army and navy.

Make a summary of all the provisions in your state constitution relating to the militia.

What does the Declaration of Independence say on the subject of this chapter?

How are the officers of the National Guard of your state appointed?

Are they appointed for political reasons or because they are proficient in military tactics?

What are the advantages of a uniform system of training the state militia in all of the states instead of leaving each state to train its militia as it chooses?

What are the possible uses to which the army of the United States and the National Guard of your state can be put?

What would be the advantage of having military training in the high schools?

### QUESTIONS FOR DEBATE

Resolved that the army of the United States should be increased to not less than two hundred thousand men and the National Guard to five hundred thousand men.

Resolved that there should be compulsory military training of all youth for at least two years from the time they are eighteen to twenty years of age.

Resolved that vocational schools should be provided and that all members of the army should be compelled to learn a vocation.

### WHERE TO LOOK FOR FURTHER INFORMATION

United States Constitution.

Constitution of your state.

Declaration of Independence.

Report of the United States War Department.

Report of the State Adjutant-General or similar official.

WHERE TO WRITE FOR FURTHER  
INFORMATION

United States War Department, Washington, D. C.  
State Adjutant-General's Department, State Capitol.  
National Security League.  
American Peace Society.

## CHAPTER XXV

### RELATIONS WITH OTHER COUNTRIES

Thus far in this book, we have been dealing with the ways and means of looking after our country's affairs. Sometimes, we think about the affairs of our country so much that we forget that there are other countries with whom we have any dealings. The people of all countries depend so much upon one another that a better understanding is needed among them. The world is made up of countries or nations. Each nation is independent of the others and runs its own affairs. Any interference by one nation with another results in disputes and often wars. There are, however, so many ways in which the people of one nation come into contact with those of another that some methods of working together have to be provided.

**Travel.**—In the first place people travel in other countries. Some travel for pleasure and others for business. Some seek education and some adventure. Wherever a citizen of a country goes, it is the duty of his country to protect him against unjust interference. An American citizen in a foreign land is entitled to the protection of his country if he attends to his own business and does not violate the

laws of the country where he may be. Moreover he is entitled to the protection of his property in a foreign country. He may not be unjustly imprisoned and his property can not be taken except by the honest course of law. We have often come to the verge of war with other nations on account of unfair treatment of our citizens.

**Trade.**—Secondly, the people have need for trade with other countries. We have already seen that we draw our living from all parts of the world. Goods are shipped and payments are made from country to country. Ships of one nation reach the ports of many nations in the world of commerce. Money is loaned by the people of one nation to those of another. The dealings of people of different countries with one another are many and important. It is for the advantage of all, therefore, that the nations work well together.

**Ambassadors and Ministers.**—Naturally, a great many questions and often grave disputes arise between nations growing out of the relations of their citizens. Each nation must be in a position to know all of the facts in order to form its conclusions correctly. It is everywhere the custom, therefore, for nations to have representatives residing in other countries to represent them and to look after the interests of their citizens. These representatives are called ambassadors or ministers. They live at the capitals of the countries to which they are sent and represent their own countries in any matters which arise. One



of their principal duties is to cultivate the good will of the people and the rulers of the country to which they are sent. Many times, an ambassador has been able to prevent ill feeling between nations by his personal influence with the government officials of the country to which he was sent.

**Consuls.**—A second set of representatives are called consuls. These officials are maintained in foreign countries to look after the trade interests of our people. They also furnish information about markets to American producers. In these two ways, our business men are helped in finding places to sell their products and in conducting their business affairs in foreign countries. By means of the Daily Consular and Trade Reports published by the Department of Commerce at Washington, information for business men about foreign markets is sent to all men who want it. Consuls also look after the welfare of American travelers who may need any assistance.

**Treaties and Arbitration.**—Whenever two or more countries have close relations and many problems arise it is common for them to enter into agreements called treaties by which each country agrees to certain things. Often these agreements are to arrange for the settlement of disputes, each country agreeing to submit disputed points to arbitration by impartial judges. Of course, there is no way to force a country to keep an agreement, but honorable nations will not fail to keep their word. It has, many times, been considered a cause for war when a nation breaks its

agreement. Nations, as well as individuals, ought to carry out their agreements honestly.

The United States has entered into many treaties with other countries. The more friendly we are with a country, the more likely we are to enter into agreements for mutual advantage. By such treaties, we protect the interests of the people of other countries and in turn have the interests of our people protected. It is to be hoped that at some time there will be an agreement among all nations to submit all disputes to arbitration.

**The Aim of This Country.**—The aim of this country has always been to keep out of any union with foreign countries. The interests of the great nations of Europe are their own and we have nothing to do with them except to protect the interests of our citizens. Washington, in his farewell address, cautioned our people to avoid all connections which would lead us into trouble with foreign nations. His advice ought to be read to-day and heeded by all. It has been followed by this country for more than a century. We have succeeded during that time in keeping out of European troubles.

**The Monroe Doctrine.**—The policy of this country has been to leave the Old World alone and to protect the New World of America from interference from abroad. President Monroe stated our position in 1823 in what has since been known as the Monroe Doctrine. President Monroe declared that the United States would consider an attempt on the

part of any European nation to gain territory in America as an act unfriendly to the United States. No nation has since extended its territory in America. Lately the Monroe Doctrine has been partly changed into the Pan American Doctrine by which the countries of North and South America consider themselves the common defenders of all America.

**International Law.**—The rules which govern nations in their dealings with one another and which they are morally bound to obey are known as international law. International law consists of customs and precedents which nations follow. It is unlike statute law since there is no legislature to enact it, no executive to enforce it and no court to construe and apply it. It is to be found in the writings of acknowledged experts, in treaties, in the instructions of governments to their representatives in other countries and in the elaborate code drawn up by the conference of nations which met at The Hague in 1899 and 1907. These international rules are of three kinds and are known as the laws of war, the laws of peace, and the laws of neutrality. Thus the relations between two nations when at war are governed by the laws of war, and extend to such matters as the seizure of goods intended for the uses of war and the treatment and exchange of prisoners. The relations existing between a neutral nation and a nation at war are governed by the laws of neutrality and relate to such matters as the seizure of goods, the furnishing of war supplies, and the safety of persons



not engaged in the war. The laws of peace govern nations in their ordinary relations with one another.

**Foreign Affairs a National Matter.**—We have already seen that the duty of attending to matters relating to foreign affairs belongs to the United States and not to the states. It is easy to see why this is necessary. What would happen if each one of the forty-eight states could make agreements with foreign countries is plain to every one. We would be in endless trouble. So the framers of the Constitution wisely left all such matters to the federal government. The president is given the power to make treaties with foreign countries, but all such treaties must be approved by a two-thirds vote of the United States Senate. The president is checked in this way from making unwise treaties.

**President Appoints Foreign Representatives.**—The president appoints all ambassadors and ministers to foreign countries, but the Senate must approve or confirm the appointment. This serves as another check on the president. Consuls and their assistants and the assistants of ambassadors and ministers were formerly appointed by the president, but lately a system of appointment through a civil service examination and promotion for merit has been adopted. This has given encouragement to young men to prepare for this service as a life-work.

**Homes for Ambassadors.**—The higher positions in the foreign service, while commanding good salaries, have usually been filled by wealthy men who

are able to meet the heavy expense of living in the necessary style. The ambassador or minister feels that he must rent expensive quarters in which to live and entertain a great deal so as to keep up with custom. The salaries have not been sufficient to pay such expenses. Lately there has been a demand that this country furnish homes for the ambassadors or ministers so as to relieve them of the heavy expense of renting quarters and at the same time give the nation a better standing among foreign people. Many of the foreign countries own the homes of their ambassadors at Washington.

**Immigration.**—Immigration is a problem which affects the relations of nations. People immigrate in large numbers from one country to another. Whenever there are advantages to be gained by immigrating, thousands will go. As one country fills up with population, the crowded people seek space in new lands.

America has always been a land of opportunity for the crowded countries of Europe. Millions of people have come here seeking a home and opportunity. We have kept our doors open for foreign people and have only asked that they show that they are mentally sound, not criminal and able to take care of themselves.

**Naturalization.**—We naturally expect foreigners to learn the ways of America and finally to become citizens. We do not take them as citizens at once, but after their arrival they may declare their intentions



to become citizens and after five years' residence in this country, may become citizens with all the rights which they would have had if they had been born here.

The United States government makes and enforces the laws for this process which is called naturalization. Naturally, as soon as a foreigner becomes a citizen, he can not claim any rights from his old home country. He is an American and under our protection. Owing to the problems which arise from having too many immigrants who would not be good citizens, laws have been made prohibiting immigration of certain races and it has been proposed that every immigrant should be able to read and write before he is allowed to enter.

### QUESTIONS FOR INVESTIGATION

Why is it best to have foreign affairs handled by the national government and not by the states?

Show how trade, travel, etc., are likely to cause difficulties to arise between nations.

What is the meaning of "international law"? What is the advantage of having such law? How is it enforced?

Why are ambassadors and ministers to foreign countries necessary?

What is the value of having consuls in foreign lands?

Give all of the reasons which you can for arbitration of disputes between nations. Is it always possible to arbitrate?

Why do people immigrate? What are the dangers to this country in unrestricted immigration?

Why is it best to have naturalization of foreigners under control of the national government instead of the states? What would be the effect of permitting each state to have its own naturalization laws?

May a person who is a citizen of the United States become a citizen of another country?

Discuss the statement, "Once an Englishman, always an Englishman."

### QUESTIONS FOR DEBATE

Resolved that immigration should be restricted by an educational test.

Resolved that homes should be provided in all foreign capitals for the use of ambassadors and ministers.

### WHERE TO LOOK FOR FURTHER INFORMATION

Haskins, *The American Government*.

Chap. II. "The Department of State."

Chap. XXIX. "The Pan American Union."

Beard, *American Government and Politics*.

Chap. XVI. "The Foreign Affairs."

Debaters' Handbook, *Immigration*.

Debaters' Handbook, *The Monroe Doctrine*.

### WHERE TO WRITE FOR FURTHER INFORMATION

State University, Department of Political Science.

U. S. Department of Commerce (Questions relating to consuls and foreign trade).

Pan American Union (Questions relating to South and Central America).

U. S. Department of State (Questions relating to ambassadors, ministers, treaties, etc.).

## CHAPTER XXVI

### TERRITORIES

When the federal government was organized in 1789, the nation was composed of only thirteen states, and the territory over which it exercised authority extended no farther west than the Mississippi River. At the present time, the federal union consists of forty-eight states, and the territory over which it exercises authority extends westward to the Pacific Ocean.

When the territory, located outside of the boundaries of the original thirteen states, was first acquired it was wild and uninhabited and of course had no organized form of government. It was usually referred to as the public domain. The lands situated within the public domain were very fertile and attractive and they were soon populated by hardy emigrants from the eastern seaboard who crossed the mountains in search of new homes.

As soon as these frontier settlements were founded, it became necessary for Congress to establish some form of government by which the public affairs of the settlers might be regulated. Congress considered it unwise to create states out of this public domain and admit them to the Union at once. So

they invented a temporary form of government, by which the inhabitants were governed until they were sufficiently numerous to constitute a separate state. In establishing such governments, Congress had to provide for officers who had power to make and enforce laws and it was also necessary to fix the boundaries of the region over which the authority of these officers extended.

The first of the territories was organized in 1787; the last territories ceased to exist within the bounds of the United States in 1912 when New Mexico and Arizona were admitted to the Union. The territorial form of government still exists only in the dependencies and foreign possessions of the United States.

At first, the territories had very little self-government. The territorial officers, who usually consisted of a governor, several judges, a secretary, a territorial attorney, a marshal, an auditor, a treasurer and a librarian, were appointed by a president, and all local officers were appointed by the governor. The legislature consisted of the governor and judges who made the laws, but it was necessary to submit these laws to Congress for approval. After the laws were enacted, the governor was required to enforce them and the judges tried all persons who violated the laws. Of course, as there were no officers elected, the people had no right to vote. After this form of government had existed for a while and the territory had become more thickly settled, Con-



gress established a legislative assembly of two houses. The lower house was elected by the people and the upper house was chosen by the president. Gradually, Congress extended to the inhabitants of a territory the right to elect the members of the upper house and some of the more important local officers. As the population of a territory increased, Congress divided it into smaller territories and when one of these smaller territories had sufficient population, Congress usually admitted the territory to the Union.

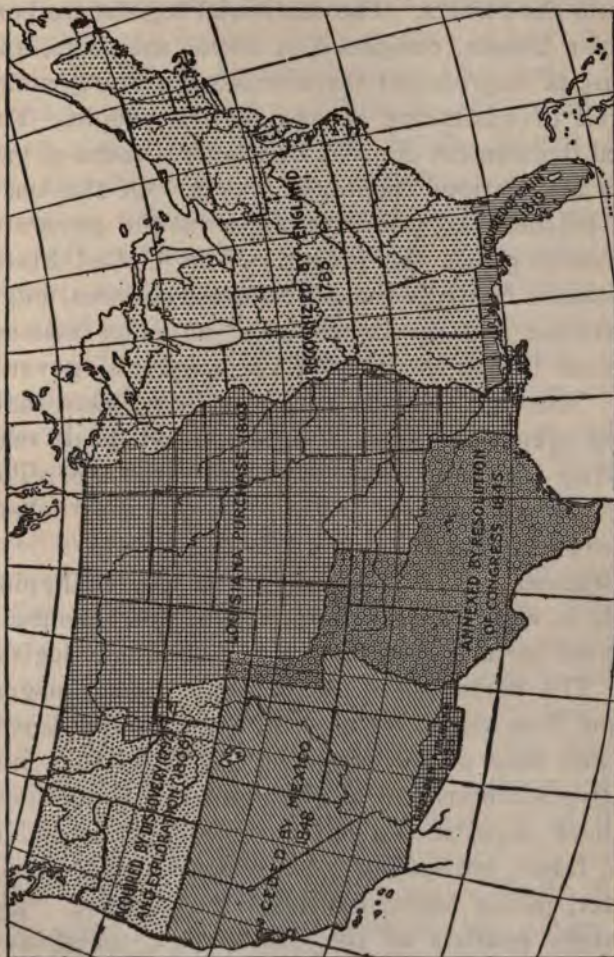
This process of admitting a territory to the Union has not always been the same, but the plan generally followed was for the legislature of the territory to send a petition to Congress asking to be admitted to the Union on an equality with the other states. On receipt of this petition, Congress passed a law which is known as an enabling act, which empowered the people of the territory to elect delegates to a convention to frame a constitution. When the constitution had been adopted by the territory, it was submitted to Congress and if Congress approved it, the president then issued a proclamation by which the territory was formally admitted into the Union. The expenses of territorial governments were paid by Congress. The citizens of the territories took no part in presidential elections. Each territory was permitted to send a delegate to the House of Representatives, who had the right to debate but not to vote.



At the present time, the territories of the United States consist of Alaska, the Hawaiian Islands, the Philippines and Porto Rico, which have legislative assemblies of their own; and the District of Columbia, the Canal Zone and a considerable number of small islands, including Guam and Tutuila, which are governed by federal officers and have no voice in their own government.

**Alaska.**—The territorial government of Alaska is vested in a governor, appointed by the president, and a legislative assembly of two houses, elected by the people. The governor performs about the same duties as the governor of a state, but he is also the superintendent of public instruction and so has direct charge of the education of the people of the territory. The upper house of the legislative assembly consists of eight members and the lower house of sixteen members. All laws must be submitted to Congress for approval and all legislative expenses are paid by the United States government. Schools have been established for Indians and for white children, supported partly by the federal government and partly by funds raised by local taxation. Since 1906, Alaska has been permitted to send a delegate to the House of Representatives at Washington, who may speak but not vote.

**Hawaii.**—The Hawaiian Islands have been a fully organized territory since 1900. The principal executive officers of the islands are the governor and secretary. There are also other territorial officers who



EXPANSION OF THE TERRITORY OF THE UNITED STATES, 1783-1916.

have charge of agriculture, the public lands, education and the forests. The territorial legislature consists of a Senate, composed of fifteen members, and a House of Representatives, composed of thirty members, all of whom are elected by the people. The judicial department consists of a federal court of two judges and various territorial courts. Of the territorial officers, the president appoints the governor, the secretary and the judges. The United States government controls the post-offices, customs, internal revenue and the lighthouses; all other matters are under the supervision of the territorial government. The right to vote is limited to resident male citizens twenty-one years of age who can speak, read and write the English or Hawaiian language. The territory has a delegate in Congress who may debate and introduce bills but is not allowed to vote.

**Philippines.**—The government of the Philippine Islands is vested in a commission of nine members, appointed by the president and a territorial legislature. The commission consists of a governor-general and four executive secretaries, who are Americans, and four native Filipinos. Each of the four executive secretaries is at the head of a department and these departments have charge of the public health, labor, post-offices, public works, maintenance of order, public lands, education and finance. The legislature consists of the commission, which acts as the upper house, and an assembly of eighty-one members, elected by the people. The judicial system



consists of a supreme court, twenty local courts, a court of land registration, an attorney-general and justices of the peace. For purposes of local government, the islands are divided into thirty-one regular provinces and seven non-Christian or special provinces. Order is maintained in the islands by a well disciplined body of native police, commanded by American officers. The school system is well developed and consists of primary, intermediate and high schools, supervised by American teachers. Special attention is paid to primary and industrial education. The qualifications for voting are rather complicated, but in general each voter must take an oath of allegiance to the United States, he must be a property owner or a taxpayer, and must be able to read, write and speak English and Spanish. Two resident commissioners to the United States are elected by the legislature for terms of four years.

**Porto Rico.**—The government of the island of Porto Rico is similar to that of the Philippines, and is vested in a governor and an executive council, appointed by the president for terms of four years, and a legislature of two houses. The executive council consists of a secretary, an attorney-general, a treasurer, an auditor, a commissioner of the interior and a commissioner of education and five other members who must be native Porto Ricans. The executive council constitutes the upper house of the territorial legislature and also acts as a commission with power to grant franchises, prescribe

rates of service charged by public utilities, administer election laws and approve the sale of bonds by cities. The lower house of the legislature is composed of thirty-five delegates elected by the people. Porto Rico has a delegate in Congress elected biennially by the qualified voters.

**District of Columbia.**—The District of Columbia is a rectangular piece of territory set apart as the seat of the government of the United States, having an area of sixty-four square miles, and containing the city of Washington. The district is governed by three commissioners, appointed by the president for terms of four years, two of whom are civilians and residents of the District, and one an engineer of the regular army corps. Other officers, belonging to the engineering corps of the regular army, have charge of the parks and water supply. All laws governing the District are passed by Congress, but the commissioners have wide discretion in the adoption of local ordinances and regulations. The inhabitants have no right to vote in the District but many maintain a voting place in the states of which they are citizens. The District has no delegate in Congress. One-half of the expenses of the District are paid by the federal government and the other half is raised by local taxation.

**Canal Zone.**—The Canal Zone consists of a belt of territory, ten miles in width, extending across the Isthmus of Panama. While the canal was being constructed, the Zone was governed by the Isthmian



Canal Commission. After the completion of the canal, the Commission was dismissed and the government was entrusted to a governor and other subordinate officers appointed by the president. The governor has general charge of the operation of the canal and the establishment of tolls. Justice is administered by one district judge.

**Minor Dependencies.**—The minor dependencies of the United States consist of a considerable number of small islands situated in the Carribean Sea and the Pacific Ocean. The most important of these are Guam, Tutuila and the Samoan Islands. All of these islands are controlled by the Navy Department and they are used chiefly as naval and coaling stations and cable depots.

### QUESTIONS FOR INVESTIGATION

Prepare a list of the various territorial acquisitions by the United States, giving the date of accession, area, the manner of acquiring and the states subsequently created out of each piece of territory.

Was your state originally a colony or a territory?

Describe briefly the colonial or territorial form of government in existence in your state before its admission to the Union; the date of admission; the population at the time of admission; the manner of adopting the first constitution; and the provisions of the enabling act.

Is it logical to extend full political rights to the alien peoples in our insular possessions when these rights were denied to our own people in the continental territories?

Were there any political reasons for the admission of your state to the Union?

Does the United States own any land in your state at the present time? How much? For what purpose is it used? How much land has been ceded by the United States to your state and for what purposes?

What is the area and population of each of the present territories of the United States?

Justify the practise of allowing territories to be represented in nominating conventions when they are not permitted to vote for president.

### QUESTIONS FOR DISCUSSION

Resolved that the Philippine Islands should be given their independence.

### WHERE TO FIND FURTHER INFORMATION

Bryce, *The American Commonwealth*.

(Ed. 1911), Chaps. XLVII and XCVI.

Haskin, *The American Government*.

Chaps. XVII and XIX.

Beard, *American Government and Politics*.

Chap. XXI.

## CHAPTER XXVII

### WHERE THE MONEY COMES FROM

It costs more than three billion dollars every year to do the things which the people have to do for their common benefit and for their protection. One billion of this is spent by the federal government, over four hundred million by the states, and the rest by the counties, townships, cities, towns and other districts which are organized to do part of the people's business.

**Cost of Government.**—Where does this money come from? Each government, federal, state and local, must, of course, provide the money for the things which it does. The fact that this money is spent for public benefits makes it clear that the cost should be distributed in some way so that each will pay his fair share.

**Old and New Methods of Taxation.**—The governments of earlier times seldom considered the justice of the amount which each should pay. They took all they could get from each. Some paid heavily because it was easy to force it from them, while others whose property was concealed, escaped in part or whole. In those days, government was not accepted as a common benefit. Men were subject to kings

and nobles and what they paid was to satisfy the desires or greed of their rulers. The money may have been partly spent for common benefits or it may have been wasted by the rulers or spent in petty wars.

Although the whole plan of government has been changed to the democratic ideal of a government, doing what it does for common benefits and collecting money to be spent for the benefit of all, still we do not always carefully consider whether the amount we take from each in taxes is the just portion which he should pay. We are striving to reach that point where each person shall bear his just share of the burdens which the benefits of government bring.

**Sources of Government Revenue.**—Governments derive the money which they spend from the following main sources:

General taxation upon property. A uniform rate levied upon the assessed value of all property.

Tariff duties levied upon any goods brought into the country.

Excises or internal revenues—taxes upon liquor, tobacco, etc.

License taxes levied against certain industries such as the liquor business.

License fees upon the conduct of any regular business, such as a license to engage in the real estate business called business taxes.

Taxes upon incomes at a percentage of the amount of the income.

Fees for services performed by the government, such as recording papers.

Compensation for work done for the people, such as the furnishing of postal service, water service, etc.

Inheritance taxes—a percentage charged upon property transferred to heirs at death.

Special taxes upon transactions, such as the tax upon notes, mortgages, deeds, telegraph and telephone messages.

Special assessments against property benefited by an improvement, such as the paving of a street or the laying out of a park or boulevard.

Poll taxes.

Sale of bonds and other obligations.

**Revenue of the Federal Government.**—The federal government does not levy any direct taxes upon property. From the beginning, the federal government derived its revenue principally from tariff duties, excise taxes on the manufacture of whisky, beer and other liquors, tobacco, cigars and cigarettes. The postal service is now more than supporting itself from the amounts paid for services rendered. In late years, the federal government has added a tax upon incomes and upon the earnings of corporations. To meet emergencies, taxes have often been levied at different times upon notes, mortgages, deeds, telephone and telegraph measures, etc.

**The Tariff.**—The tariff duties upon goods imported from another country vary. In some cases, the



rate is so much per article or per dozen; in others it is a percentage of the value. When such a tax is levied, there are two opposing views—the protective tariff view and the tariff for revenue view. The former would put rates high and thus tend to keep goods out, thereby encouraging production at home, and the latter would make rates low and thus encourage imports. Whatever the tax may be, it amounts to that much added to the cost of the article. The person who uses the article thus pays the tax. It would seem in a just system, therefore, that upon the common articles which everybody uses for living, the rates should be extremely low if not entirely eliminated and that those things which are counted luxuries should bear a heavier burden. To illustrate, if necessary articles of food are taxed, the poor man pays a tax equal to the rich man although he can not afford to pay so much.

**Internal Revenue.**—The tax upon liquors and tobacco is in the nature of a tax upon luxuries. It is levied upon the manufacture of liquors and tobacco. Every case of liquor and package of tobacco or cigars must bear the stamp which is purchased from the government. The tax is called the internal revenue tax.

**Income Tax.**—The income tax is a new source of revenue for the federal government. It was first adopted as to corporations in 1909 and as to individuals in 1913. Every corporation must file a schedule of its gross earnings and pay to the col-

lector of internal revenue two per cent. of its earnings. Every single person who has an income of more than three thousand dollars or married person who has an income of four thousand dollars must pay a per cent. of the amount to the collector of internal revenue. There are certain exemptions. Salary from state and local governments and pensions are exempt.

**Postal Service.**—The amount charged for postal service is not strictly a tax, but may be classed as such, for if the nation supplied this necessary service free, it would have to collect a tax to pay the cost. Instead, a charge is made just sufficient to pay the cost of the service.

**Amount Collected by the United States.**—From these sources of revenue, the federal government derived the following income in the year 1915:

|                                                           |                  |
|-----------------------------------------------------------|------------------|
| From tariff duties -----                                  | \$209,786,672.00 |
| From personal income tax-----                             | 41,046,162.00    |
| From corporation income tax-----                          | 39,144,531.00    |
| From liquor and tobacco and other<br>internal taxes ----- | 335,479,265.00   |
| From all other sources -----                              | 72,454,508.00    |
| From post-office -----                                    | 287,248,165.00   |

**Indirect System.**—The system of taxation used by the federal government, thus described, is an indirect system. Except in the case of the income tax,

there is no direct payment. The amount is merely added to the cost of the things consumed and the real taxpayer never realizes the exact amount of his contribution to the nation's work.

**State Revenues—General Property Tax.**—The states get the larger part of their income from a direct tax upon property. All property is given an assessed value by the assessors and that value multiplied by the rate gives the amount. When the amount of money to be raised is fixed, that amount is divided by the total amount of property assessed to get the rate per thousand. It is a simple case of so much property, so much tax. It is based upon the proposition that the ownership of property is the test of ability to pay. Now, if all property were assessed at the same proportion of its value and if no property were concealed, this would be a fairly just method of taxation. But property is seldom assessed at a uniform value. Assessors do not know values; some of the assessors show favoritism; personal property, such as stocks, bonds, notes and mortgages, are concealed; property is moved out of the state at assessment time; and as a result the principal tax falls upon the property which is in sight and can not escape. Real estate, therefore, bears an unjust portion of the tax. Many states are working to solve this problem of fair taxation, but they have not been able to find a solution.

**Business Tax.**—Another source of revenue which the states use is the tax upon business. Some of the



southern and western states receive from this source a large revenue, which consists of a license tax for the privilege of doing certain kinds of business. The state also derives large revenues from the liquor traffic in the form of licenses to permit the conduct of the business. A few of the states have tried the income tax.

**Inheritance Tax.**—Practically all of the states levy a tax upon the right to receive property by will or bequest. The tax is direct. The rate is fixed and the amount is multiplied by the rate. The rate usually varies, being higher if the property goes to distant heirs and also varies with the amount of property, large amounts being taxed at a higher rate. In some states, the rate when the property descends to a wife, husband or child is low but rises to as high as fifteen per cent. when the estate is larger and goes to far distant relatives.

**Poll Tax.**—A poll tax is levied in many states for the benefit of the state or local governments. It consists of a direct tax upon each man between the ages of twenty-one and fifty or sixty. The poll tax usually ranges from one dollar to three dollars. In several states a man must show his poll-tax receipt before he can vote. Usually the poll tax is not easily collected and the revenue from it is not large.

**Revenues of Counties and Townships.**—The counties and townships derive their revenue mostly from the general property tax. The rate for their purpose is determined and is levied upon the same property

as that assessed for the state tax. A few minor sources, such as dog taxes, furnish slight revenues.

**Revenues of Cities and Towns.**—Cities and towns derive their revenues from many sources. The chief source is, however, the general property tax, the amount for city purposes being levied against the same property as that assessed for state purposes. A second source of revenue is from licenses of saloons and from business taxes. Trades and business are required to be licensed in many cities. A vehicle tax is quite generally imposed upon all wheeled vehicles run upon the streets.

Many cities derive considerable revenue from services performed for the people. Most of our cities own their own waterworks and the profits arising from their operation go into the city treasury. Many cities own electric light plants and profits go into the revenues of the cities; many cities own gas plants also, and a few own street railways which furnish a profit.

**Special Assessments for Streets, Sewers, etc.**—Some of the most important work of the city is paid for by special assessments, that is, by assessments upon the property benefited. Pavements, sewers and sidewalks are of this class. A portion or all of the cost of parks and boulevards is often levied against benefited property. The assessments for pavements, sewers and sidewalks are based upon the frontage of the lot. Each foot is taxed its proportion of the cost of pavement and sidewalks, without regard to the



value of the property. It is usually left to the will of the property owners on a street whether the pavements or sidewalks shall be put in, but the cities often order the work in spite of the owners when the general public convenience is promoted.

The methods of assessment for improvements vary in the cities. Some pay the cost of street intersections out of the city treasury while others apportion it against the property owners running back a certain distance on both streets. Some cities levy the cost on all of the land for a considerable distance back, but put the larger burden upon the land which fronts the street. Many cities pay the entire cost of paving out of the city treasury.

Formerly, such special taxes were levied and collected all at once. It was a severe hardship upon many to pay the heavy cost of street paving all at once, and provision is made quite generally now for the distribution of the cost over five or ten years, the tax being paid in regular annual installments with interest.

There has always been much argument over the question whether a property owner should be compelled to pay entirely for paving the street in front of his property for the use of the whole city. In general, however, it is accepted that such improvements increase the value of such property in amount equal to, or greater than, the amount of the tax. The theory of benefits to property, therefore, justifies the tax.

Drainage, irrigation and other districts derive their revenues almost entirely from assessments for benefits derived. In some places highways are paid for by special assessments.

**School Revenue.**—School districts, when they are separate from the township, town, or city, get their revenues from direct taxes levied upon the property assessed for other purposes, and from aid given by the state. Nearly every state has a permanent fund arising out of grants of land made by the federal government and from other sources, the income from which is distributed to the schools on the basis of attendance, enrollment, number of teachers, or money expended. These funds are sometimes given on condition that certain requirements are met by the schools and this makes better schools. In several states, the state pays a part of the cost of vocational education, provided the schools carry on the work properly.

**Bonds.**—The most important source of revenue for the purpose of constructing public works is the issuing of bonds which are debts to be paid at stated intervals in the future. All governments, national, state and local, employ this method. In 1914, there were outstanding more than \$6,500,000,000 of bonds of all the governments.

The purpose of issuing bonds is to distribute the expense of public works so that future generations which are to share the benefits shall likewise share the cost. It would be unfair to this generation to

pay entirely for works which will be used by the next generation. Government bonds usually bear a low rate of interest because they are considered very safe investments and people seek them even at a low rate of interest. They are usually made payable at different times so as to distribute the burden, and the interest is paid annually or semi-annually.

Good financiers would provide that bonds should be issued only for works which are permanent in character. It would be unjust to burden our children with bonds issued for purposes from which we alone profited. Bonds should not run for a period so long that the works, which they were issued to build, shall be worn out before the bonds are paid. Some states have issued bonds for highways payable in fifty years although the roads constructed from the proceeds would be worn out many years before the bonds are paid.

It is good business practise to issue bonds for permanent purposes if sound financial principles are observed. Much of the great progress already made in many lines, such as the building of roads and schoolhouses, has been accomplished by means of bond issues. The government should use the prudence in going into debt which individuals exercise in handling their own affairs.

**Provisions to Pay Bonds.**—When bonds are issued some provision should be made to pay them when due just as an individual makes provision for paying his debt when due.

Two methods are followed:

1. Sinking Funds.
2. Serial Bonds.

Sinking funds are provided to meet a debt. Every year a certain amount is added to the fund, usually from a tax, and this fund is kept at interest until a debt is due. The amount of the sinking fund will be enough to pay the debt as it falls due.

Serial bonds are preferable to the sinking fund. These bonds are made in series so that a portion comes due each year. A special tax can then be levied each year and the proceeds used to meet each bond as it comes due.

**Planning Expenditures—The Budget.**—The financial affairs of the governments, national, state and local, should be conducted with intelligence and careful planning. We ought to know where the money comes from and where it goes. The statements concerning the public finances should be made so clear that the people may readily understand them.

At the beginning of each year the budget for the year should be prepared showing just what it is proposed to spend money for and just where the money is coming from. Expenditures should be kept within the income and if more money is needed, it should be provided for before the money is expended. Moreover, the people should be informed as to all details of plans for raising revenue and spending it.

**Proposed Reforms in Taxation.**—Many proposals are made to reform the methods of taxation, each



seeking greater fairness. Among the proposals which are made are: the single tax; progressive taxation and classification of property with a different rate upon each class.

**The Single Tax.**—The single tax, as its name indicates, is a tax upon one thing, only—land. No tax is levied under this plan upon buildings and other improvements. The theory is that by taxing land it forces people to use their land, and the increased business makes the land in greater demand and thereby increase its value to offset the tax. Under such a tax, there is no chance for land speculators who hold their land for an increase in value.

**The Progressive Tax.**—The progressive tax is a graded tax upon property. The rate increases as the amount of a man's property increases. Thus, a man who has one thousand dollars may pay one per cent., while a person having a million dollars pays a higher rate. The theory of this kind of taxation is that persons who have large amounts of property are able to pay more taxes in proportion to their property.

**Classification of Property.**—Classification of property for taxation is a plan to assess different kinds of property at different rates. This makes it possible to fix a rate upon each kind of property according to its ability to stand the tax.

**Assessing and Collecting Taxes.**—The work of assessing and collecting the taxes is done in the nation by custom house officers and internal revenue col-



lectors. The former have charge of the custom houses and collect the tariff upon goods imported. The latter are scattered throughout the country and collect the income taxes and the tax upon liquors, tobaccos, etc. All are under the direction of the secretary of the treasury.

State and local taxes are collected by local collectors or treasurers after the property has been assessed by the local assessors. Many of the states have county assessors or boards who try to make assessments in different townships more uniform. A state tax commission or commissioner is provided in many states whose duty it is to help enforce the tax laws to try to make assessments uniform throughout the state and to bring about greater justice in taxation.

### QUESTIONS FOR INVESTIGATION

Why should each person pay his share of the taxes?

What should be the test of the amount which each person should pay in taxes?

Should the tax for building roads be paid, principally, by those who use the roads?

Should the tax for education be paid, principally, by those who have children to send to school?

How is property in your community assessed for taxation? Who does the work? How is the official who does the work chosen? How can more competent assessors be selected?

What would be the effect of assessing property in different townships or counties at different percentages of value?

Find the approximate cost of paving streets with different kinds of paving materials and fix the amount should be charged against each piece of property

in a given block. (This will make it necessary to get an exact plat of the block and to apply the exact method in use in your city.)

Suppose that the cost of macadamizing a highway were assessed against the abutting property. What would be the amount assessed against the farmers in your school district if the roads were all macadamized and were to cost eight thousand dollars a mile?

Would it be desirable to lay a progressive tax upon property, the rate to increase according as the amount of property increases?

Get the facts about assessments of as many pieces of property as you can and compare the amount of assessment with the values.

Should bonds be issued to pay any part of the yearly expense of government?

What is the purpose of a budget? Why should there be full public knowledge of the proposed budget? Does your township, county, town or city have any plan to explain the budget to the people?

What are the chief items of expenditure in your local governments? Are these due in part to waste or extravagance? How can greater economy be secured?

What is the date when taxes are collected in your community? Are school taxes collected at the same time?

When is property assessed for taxation?

### QUESTIONS FOR DEBATE

Resolved that property owners should not pay taxes at exactly the same rate on all kinds of property.

Resolved that the income tax is preferable to the general property tax.

Resolved that inheritance taxes should be levied to such an extent as to limit the amount which any person can inherit.

Resolved that tariff duties should be levied at a low rate instead of a protective rate.

## WHERE TO LOOK FOR FURTHER INFORMATION

- Burch and Nearing, *Elements of Economics*.  
Chap. XXXI "Taxation."  
Plehn, *Government Finance in the United States*.  
Fillebrown, *A, B, C of Taxation*.  
(Single Tax Theory of Socialization.)  
Bryce, *American Commonwealth*.  
Chap. XLIII "State Finances."  
Chap. XVII "Congressional Finance."  
Howe, *The Modern City and Its Problems*.  
Chap. XXIII "New Sources of City Revenue."  
Chap. XXII "The City Budget."  
Debaters' Handbook, *The Single Tax*.  
Debaters' Handbook, *The Income Tax*.

WHERE TO WRITE FOR FURTHER  
INFORMATION

- State Tax Commissioner or Commissioners (if your state  
has such officials).  
Local tax officials.  
National Tax Association.  
United States Census Bureau. (Publishes Statistics on  
Wealth, Debt and Taxation.)  
Single Tax Association.

THE END

## **APPENDIX**





## OUTLINE OF THE POWERS AND DUTIES OF FEDERAL OFFICIALS

*The President.*—By far the most important officer of the federal government is the president. The president must be at least thirty-five years of age and a native-born citizen of the United States; he is elected for a term of four years, beginning March fourth, following his election, and is eligible to reelection. The president is elected indirectly. Voters do not vote for candidates for president, but for presidential electors, who are pledged in advance to vote for a certain candidate. The process by which the president is inducted into office is known as the inauguration. At that time the president takes the oath of office, which is usually administered by the chief justice of the Supreme Court, and delivers an inaugural address, in which the aims of the incoming administration are set forth. The powers exercised by the president are very extensive and vary in accordance with the events of his administration and the character of the president. Probably no ruler who ever lived exercised such extensive authority as did President Lincoln during the Civil War.

The most important functions of the president are to conduct foreign affairs, to appoint ambassadors and consuls to foreign countries and to receive foreign ambassadors; to command the army and navy of the United States; to issue official proclamations; to submit messages to Congress; to recommend political policies and legislative measures; to supervise the preparation of administrative measures, under the direction of departmental heads; to summon special sessions of Congress; to veto or approve bills passed by Congress; to exercise the pardoning power; and to nominate and commission officers. There are over ten thousand posi-

tions in the federal service which are filled by the president. In addition to these strictly official duties, the influence of the president as chief of his party as the only representative of the whole country, is of the greatest practical consequence.

*Vice-President.*—The qualifications for vice-president are the same as those for president, and he is chosen for the same term and in the same manner. In case of the death or disability of the president, the vice-president succeeds to that office. The only duty of the vice-president is to preside over the Senate, and in the case of a tie to cast the deciding vote. An aggressive and popular man as vice-president usually exercises considerable personal influence in spite of his lack of power.

*The Cabinet.*—The cabinet is composed of the secretaries in charge of the executive departments of the general government. At the present time there are ten members. The departments of State, Treasury and War and the office of attorney-general were in existence in 1789, as was also the office of postmaster-general, but the latter was not raised to the rank of a cabinet portfolio until 1829, and the attorney-general was not recognized as the head of the Department of Justice until 1878. The Navy Department was created in 1798; the Department of Interior in 1849; the Department of Agriculture in 1889; the Department of Commerce in 1903; and the Department of Labor in 1913. The cabinet is not mentioned in the Constitution. All cabinet officers are appointed by the president with the advice and consent of the Senate, but the president may remove any cabinet officer at his discretion. Cabinet officers are usually, but not necessarily, adherents of the president's party. The duties of a cabinet officer are threefold: to manage the affairs of his own department; to submit written opinions to the president concerning the work of his department, including a review of things done and recommendations for the future; and to sit in consultation with his colleagues and the president to determine and outline the political course of the administration. When the

president is in Washington, the cabinet meets regularly on Tuesday and Friday of each week.

*Secretary of State.*—The secretary of state is the most important officer of the cabinet. The duties of the secretary of state are threefold: he has charge of the great seal which he affixes to all presidential commissions and other executive instruments; he is the custodian of the official and authentic government records; and he is entrusted by the president with the conduct of all international relations. Constitutional amendments proposed by Congress are submitted to the several states by the secretary of state, who likewise announces the ratification of amendments by an official proclamation. The Department of State is divided into eight bureaus, each of which is entrusted with a particular branch of the work.

*Secretary of the Treasury.*—The duties of the secretary of the treasury are to collect the public revenue, to provide for its safe keeping, to disburse it in the payment of the current expenses of the government and the public debt, and to issue and redeem the currency. The organization of the department is very complex; there are over 7,000 employees in Washington and 20,000 resident elsewhere. The chief items of the public funds are the customs duties collected at ports of entry by 124 collectors stationed near the borders of the country and 39 surveyors stationed in the interior; the internal revenue collected by 67 collectors; and the corporation and income tax collected by the internal revenue collectors. The secretary of the treasury has charge of the coinage of money; he supervises the four mints and the eight assay offices; he directs the office of engraving and printing in which the paper money, bonds, postage stamps and internal revenue stamps are manufactured; he has general supervision of the 7,000 national banks, which are examined periodically by his inspectors; he has general charge and oversight of the public debt; he protects the customs revenue and prevents smuggling by the use of the Revenue Cutter Service consisting of 45 small craft; and he prevents the counterfeiting of the money by



the use of the Secret Service. In addition to these duties, he has general charge of the construction of public buildings, the management of the life-saving and public health service, the supervision of the 275 life-saving stations, the establishment of marine hospitals for the care of sick and disabled seamen, and the supervision of the Quarantine Service. The money of the United States is kept in the vaults at Washington and in nine sub-treasuries, each in charge of an assistant treasurer, located at Baltimore, Boston, Chicago, Cincinnati, New Orleans, New York, Philadelphia, St. Louis and San Francisco.

*Secretary of War.*—The secretary of war has general jurisdiction over the military establishment and the navigable waters of the United States; he prepares estimates of appropriations for his department and supervises their expenditures; he has oversight of the Military Academy at West Point, the Army War College at Washington, the publication of the Official Records of the War of the Rebellion, questions relating to bridges over navigable streams, and the establishment of harbor lines. Plans for national defense, the management of the military forces in time of war, and the general fighting efficiency of the army, by the president's direction, are under the supervision of the General Staff Corps, which also renders professional aid and assistance to the secretary of war in matters of command, discipline and administration, and consists of a major-general, who is the chief commanding officer, and twenty-eight subordinate officers.

*Attorney-General.*—The attorney-general is the legal adviser of the president and the heads of the departments of the executive branch of the government. He interprets and construes ambiguous federal statutes; directs the work of the United States district attorneys; appears before the Supreme Court and the inferior courts in all actions to which the general government is a party or is interested; supervises clerks and marshals of the United States courts; sees the penal and reformatory institutions of the government; advises the president in pardon cases;

sometimes scrutinizes bills passed by Congress before they are signed; and advises the president in the appointment of judges and officers of courts. His published opinions have great weight in the construction of statutes. The prosecutions which the attorney-general has been obliged to undertake under the Sherman Anti-Trust Law and the Hepburn and Elkins Acts, prohibiting rebates and discriminations, have increased the importance of his office and extended his authority over the industry of the country.

*Postmaster-General.*—The postmaster-general has general charge and supervision of the United States mails. Besides the general distribution of the mails, the incidental duties of the department involve the appointment of postmasters, theoretically exercised by the president, the adjustment of salaries, the city delivery service, the railway mail service, foreign mails, stamps, money orders, registered mails, classification of mail matter, redemption of damaged stamps and postal cards, the rural mail service, dead letters, the purchase of supplies, the oversight of post-office buildings, the administration of the postals savings system, and the general inspection of the service.

*The Secretary of the Navy.*—The secretary of the navy has general charge of the navy and the naval policy of the United States. The secretary and his first assistant are civilians, but they have the assistance of a large number of naval officers who are skilled in the technical work of the department. The work of the department includes the organization and maneuvers of the fleet; the recruiting of marines; the appointment and promotion of officers; the inspection and repair of vessels; the supervision of docks, navy yards, the Naval Academy at Annapolis; the War College, the schools for enlisted men, hospitals, barracks and magazines; the designing and building of men-of-war; the fabrication of armor; the furnishing of ammunition and explosives; and the installation and maintenance of wireless and coaling stations. The Naval Observatory, which is located in Washington, publishes the *Nautical Almanac*.

*Secretary of the Interior.*—The secretary of the interior



has general supervision of a large number of matters connected strictly with the domestic policy of the United States. The department is subdivided into the following bureaus, each with a definite kind of work: The General Land Office, which has charge of the location, settlement, survey, entry and patenting of the public lands of which there are still about 680,000,000 acres. The work of the bureau is administered by a commissioner and assistants resident in Washington and by a large force of local officers who are stationed wherever the lands are located. The Geological Survey conducts surveys and prepares maps showing surface formations and the distribution of classified rock formations including deposits of fossils, minerals and other substances of value. Thus far, about thirty-five per cent. of the country has been surveyed. The survey is conducted by a director and a corps of scientific assistants. The Reclamation Service has charge of the irrigation of arid lands in the West. The Office of Indian Affairs has general charge of the Indians, who are wards of the nation, and controls the allotment and supervision of their lands. The Patent Office supervises the issue of patents and the registration of trade marks. The Pension Bureau disburses the pensions granted by the government for naval and military services. There are (1916) over 8,000,000 pensioners who receive \$153,000,000 annually. The Bureau of Mines has powers of investigation of all mining operations including the safety of miners, treatment of ores and use of explosives. The Bureau of Education collects educational statistics which are published annually, has charge of the public schools and the reindeer industry of Alaska and administers the endowment fund for higher education in agriculture and the mechanic arts. The Department of the Interior also has charge of the thirteen national parks and the ten national monuments; administers the territories, with the exception of the insular possessions; has charge of the government insane asylum, the capitol building and grounds, Howard University, Columbian Institution for the deaf and dumb and the Indian Hospital.

*The Secretary of Agriculture.*—The secretary of agriculture has advisory supervision of the agricultural interests of the country. Within the department is a group of bureaus, each with a distinct kind of work. The Weather Bureau has charge of weather forecasting, including the prediction of storms, cold waves, frosts and floods, for the benefit of agriculture and navigation, and the supervision of the weather stations which are scattered all over the country. The Bureau of Animal Industry inspects animals and food products, and animals in transit; supervises the quarantine stations through which imported live stock must pass; oversees the manufacture and distribution of renovated butter; and investigates the breeding, feeding and transmissible diseases of domestic animals. The Bureau of Plant Industry conducts scientific investigations concerning plants which are designed to prevent plant diseases, conserve and increase the fertility of the soil, reclaim arid lands by adapting plants thereto, and improve the management of farms. Under direction of this bureau, garden seeds are distributed by congressmen. The Forest Service has control of the national forest reserves; cooperates with the state governments and individuals in the management and more effective use of timber; tests the strength and durability of timber, railroad ties and telegraph poles; has charge of the forest-fire service; and is charged with the important work of conserving forests and water power. The Bureau of Chemistry is charged with the enforcement of the Pure Food and Drug Act, analyzes foods and drugs to determine their nutritive and harmful effects, and conducts prosecutions for the punishment of those who adulterate or misbrand foods and drugs. The Bureau of Statistics, through its 46,000 field agents, collects the information which is embodied in the crop reports. These reports set forth the production, distribution and consumption of crops and have great influence in forecasting the probable price of agricultural products. The Bureau of Soils analyzes soils, determines the elements in which they are deficient, and prescribes the proper fertilizers and other methods of im-

provement. This work was begun in 1899 and since that time over 360,000 square miles have been surveyed, analyzed and mapped. The Bureau of Entomology collects scientific information concerning insects which are injurious to plants, crops, fruits and forests; prepares insecticides; introduces beneficial insects; assists in the collection and classification of insects; and investigates the relation of insects to human disease. The Bureau of Biological Survey investigates the geographical distribution of birds and animals and their economic importance and relations; has charge of the national bird reservations and the bison range; and enforces the laws, including the recent migratory bird law, intended to protect wild game. The Office of Experiment Stations supervises the agricultural experiment stations which have been established in every state and in Hawaii, Alaska, Porto Rico and Guam; they conduct investigations in various parts of the world; and cooperate with agricultural colleges and farmers' institutes in all parts of the country. The Office of Public Roads supplies expert advice for the construction, maintenance and management of public highways; cooperates with the highway engineering departments of schools and colleges; and even constructs model roads for experimental and demonstration purposes.

*The Secretary of Commerce.*—The duties of the secretary of commerce are to promote and develop both foreign and domestic commerce, to oversee the mining and manufacturing interests of the country and to safeguard the shipping interests and transportation facilities. The work of the department is so distributed as to fall within the scope of subordinate bureaus. The Bureau of Foreign and Domestic Commerce develops markets at home and abroad and promotes the manufacturing interests of the country; publishes statistics of imports and exports and any movement of unusual interest to manufacturers and producers; and issues daily bulletins, based on the reports made by consular agents, disclosing the condition of foreign and domestic markets. The Bureau of the Census makes an official



enumeration of the inhabitants of the United States every ten years and supervises the publication of the reports in which this census is given; they also prepare other statistical reports in regard to wealth, debt, taxation, street railways, banking, electric lighting, telephones and telegraphs. The Bureau of Lighthouses establishes and maintains light-houses, buoys, lightships and other aids to navigation. The Bureau of Standards has charge of the standards of weights and measures with which weights and measures used throughout the country must be compared. The Bureau of Fisheries has general supervision of the propagation of food fishes in waters belonging to the United States; they maintain and operate fish hatcheries and have control of seal and fish industries of Alaska. The Coast and Geodetic Survey prepares charts of the coasts and navigable waters of the United States, takes deep-sea soundings, marks international boundaries and ascertains the character and behavior of ocean currents.

*Secretary of Labor.*—The secretary of labor is directed to promote the welfare of the wage-earners of the United States, to improve their working conditions and to advance their opportunities for profitable employment. The important bureaus in this department are the Bureau of Immigration, which enforces the immigration laws, and informs arriving immigrants of desirable positions; the Bureau of Naturalization, which oversees the work of issuing naturalization papers; the Children's Bureau, which investigates all matters pertaining to the welfare of children; and the Bureau of Labor Statistics, which investigates the causes of strikes and other industrial controversies. A bi-monthly bulletin is published showing the condition of labor in the United States and in foreign countries; and the department has charge of the payment of compensation to government employees who sustain injuries during the course of their work.

*Interstate Commerce Commission.*—The Interstate Commerce Commission was created in 1889. It consists of seven members appointed by the president for terms of

seven years, at salaries of ten thousand dollars per annum. The Commission is entrusted with the execution of the Interstate Commerce Act, and in discharging that duty has charge of all interstate railroads. The powers and duties of the Commission are very extensive, and have been considerably increased since the date of its original organization. In providing for the intelligent enforcement of the Interstate Commerce Act, the Commission has conducted investigations to ascertain how the railroads are managing their business. They prescribe uniform schedules and accounts; require publicity of joint rates agreed upon by different transportation systems, and demand annual reports according to a simple uniform plan; and prescribe freight, passenger and sleeping-car rates. By far the most extensive undertaking which the commission has been called upon to perform is that of the physical valuation of the railroads, a task which will require the services of a large corps of engineers and will consume several years in its completion. By this plan it is hoped that the commission will be able to determine the actual value of all railroad rights-of-way, tracks, yards, depots, cars, locomotives, shops and other visible property which the railroads possess. With this information in their possession, the commission will be better able to determine whether the railroads are receiving a fair return on their investments and whether they are justified in charging the freight and passenger rates which they do.

*Federal Reserve Board.*—The Federal Reserve Board was created by an act approved December 23, 1913. The board consists of seven members; the secretary of the treasury and the comptroller of the currency are members ex-officio; the other five members are appointed by the president; two of the five must be men of banking experience; one of the five appointive members is designated as governor and one as vice-governor. The appointive members serve for terms of ten years and receive salaries of twelve thousand dollars per annum. There is also an Advisory Council which consists of one representative



chosen from each of the twelve Federal Reserve Banks. The council acts purely in an advisory capacity, furnishing the Federal Reserve Board with such information and suggestions as may be beneficial or indispensable in the successful administration of the law. The whole country is divided into twelve Federal Reserve Districts, each containing a Federal Reserve City, in which is located a Federal Reserve Bank, which may establish branch or country banks in other places in its own district. According to the present division of the country, the Federal Reserve Cities are: Boston, New York, Philadelphia, Richmond, Atlanta, Cleveland, Chicago, St. Louis, Minneapolis, Kansas City, Dallas and San Francisco. National banks are required to become members of the Federal Reserve System and membership is open to state banks and trust companies. Each Federal Reserve Bank must have a capital of at least four million dollars, and is supervised by a board of nine directors; three of these directors are bankers, three are representatives of the commercial and industrial interests of the district and all six are elected by the banks which constitute the membership of the district; the other three are appointed by the Federal Reserve Board. The purposes of the financial system created by the Federal Reserve Act are to centralize the financial resources of the country; to shift the volume of currency from place to place in such manner that there will always be a sufficient supply on hand where it is most needed; and to issue bank notes with which business may be transacted temporarily until the need for this additional currency passes.

*Civil Service Commission.*—The first Federal Civil Service Commission was created in 1871, but owing to the strongly entrenched spoils system, it was not especially active or successful. The present commission was created in 1883 and has done very creditable work. The duties of this commission are to prescribe and enforce rules and regulations for admission to the Civil Service which means a job or employment with the federal government; to conduct examinations to test the fitness of applicants to do the

work which the government wants done; and to classify all positions and determine what kind of an examination shall be given for each. Applicants who are successful in passing an examination are placed on a certified list from which the president or the departmental head selects an appointee. The object of this system is to secure able and qualified persons and to eliminate politics in the selection of assistants and subordinates.

*Federal Trade Commission.*—The Federal Trade Commission was created in 1914. It consists of five members appointed by the president for terms of seven years, who receive salaries of ten thousand dollars per year. As organized at present, the commission consists of an Economics Department to conduct investigations, an Economic Board of Review to pass on matters before they are presented to the commission, a Legal Department and a Board of Law Review. The duties of this commission are to supervise and regulate all industries which do an interstate business, except railroads.

## OUTLINE OF THE USUAL DUTIES OF STATE OFFICIALS IN THE VARIOUS STATES

*Governor.*—The governor is the most important executive officer of the state. The constitution of every state creates the office of governor, and in all cases he is elected by popular vote. As the chief executive officer of the state, the governor in nearly all states is entrusted with the execution of the laws, the appointment and often the removal of state officers, boards and commissions and the exercise of the pardoning power. In the execution of the laws, the governor has the assistance of the state, county and city officials and the state militia. His control over local executive officers, including county sheriffs and the municipal police, varies in the several states; in some states he has authority to remove officers who refuse or neglect to perform their duties; in other states he has no power over such officers; but in all cases the moral influence which he may exert over these officers is so extensive that they can not successfully disregard his recommendations. As commander-in-chief of the military forces of the state, the governor has the power to call out the state militia to suppress lawlessness, quell riots and other disturbances. In case of war, of course, his military authority is subordinate to that of the president. In those states which maintain a state police system, the governor has another and very effective agency for maintaining order; these police act directly under his orders and may be sent to any part of the state. In a few states the governor appoints the judges of the Supreme Court; this is a duty of the very highest importance, since by virtue of the American doctrine that courts may declare laws unconstitutional, the Supreme Court judges exercise a legislative function equivalent to a veto. As a part of the legislature, the duties of the governor may

be of the greatest importance. He is the only person in the state who represents all the people in all cases; he recommends to the consideration of the general assembly the passage of certain laws which he deems of importance; these are known as administration measures. He may prepare measures and secure their introduction by some member who is in sympathy with his proposals, and measures which are known to emanate from the governor's office are becoming more frequent and are regarded with increasing favor. After a bill is passed it does not become a law until it secures his assent, and the power he has of insuring the defeat of a measure is far greater than that of any member of the general assembly, since no measure which he has vetoed becomes a law unless repassed by the members of both houses, usually by a two-thirds vote. Comparatively few laws are enacted without having secured the governor's signature. The governor also has the power to call extra sessions of the legislature to consider emergency measures, and in some cases only those matters which he recommends in his message may be considered at such sessions.

*Lieutenant-Governor.*—The constitutions of more than 30 states have created the office of lieutenant-governor. In all cases he is elected by the people. In case of the death, removal or disability of the governor, the lieutenant-governor succeeds to that office. In some states the lieutenant-governor is a member of executive boards, but his usual and only function is to preside over the Senate during a session of the general assembly, but he has no right to vote except in case of a tie.

#### STATE OFFICERS, BOARDS AND COMMISSIONS

*Secretary of State.*—There is a secretary of state in every state of the Union, who is the record officer of the state and as such has charge of the official copies of all state papers, including the enrolled copies of the constitution and the laws; he has charge of the state seal and certifies all official proclamations and other documents. He receives



election returns and certifies the results of all state and national elections. In all cases the office is elective and the term varies from one to four years. By virtue of his office the secretary of state frequently discharges other duties such as the issuance of incorporation papers or the registration of automobiles.

*Attorney-General.*—The attorney-general is the legal counsel and adviser of the state. He appears as the attorney for the state in the courts in all cases in which the state is interested. He appears in defense of all state laws which are attacked in court, and defends actions brought against state officers in their official capacity. He also gives opinions to state and local officers concerning the meaning of laws. The creation of boards and commissions has extended the duties and increased the powers and importance of the attorney-general. In more than forty states the attorney-general is elected by popular vote, and the term varies from one to four years.

*Treasurer.*—The treasurer has general charge of all state money and receives and pays out all money belonging to the state; in preparing his accounts, he is usually required to keep the funds for different institutions separate; and he maintains all these funds in banks, which are usually known as public depositories. In paying out public money, he either makes the payment directly in cash or by check on a bank or state depository, but no payments can be made unless the state auditor or comptroller has first issued his warrant. The office of state treasurer is usually elective.

*Auditor or Comptroller.*—The auditor or comptroller is the state bookkeeper. Before any claim against the state is paid, he must be sure that the claim is valid, that its payment has actually been authorized by law and that the necessary funds have been appropriated and are available. No state funds can be paid out unless the auditor or comptroller first issues his warrant. Auditors are frequently members of state executive boards, such as the board of pardons, board of equalization, tax board and board of education. The office of state auditor is provided for in most



state constitutions and they are usually elective. In many states the auditor also performs the duty of bank and insurance commissioner of departments.

*Superintendent of Public Instruction.*—The superintendent of public instruction, or commissioner of education, has general charge of the entire educational system of the state, but his powers vary widely in different states. In some states he examines and licenses teachers; assists in the preparation of examination questions; fixes standards of qualifications for teachers; oversees high schools; directs the work in industrial and vocational education; apportions the school funds on the basis prescribed by law; and collects and publishes educational statistics. By virtue of his office he is usually a member of the state board of education, if one exists, and as such may assist in directing the higher educational institutions of the state. There is a superintendent of public instruction in practically every state. In most states the office is elective and the term varies from one to five years.

*Board of Health.*—Boards of health exist at the present time in forty-seven states. In some states their powers are strictly limited, in other states, such as Minnesota, Pennsylvania and Indiana, the rules and regulations issued by the board of health have the same force as law. In general, the duties of state boards of health are to safeguard and promote the public health, and for that purpose they are authorized to establish quarantines against contagious diseases, abate nuisances and otherwise promote public health protection. Among the detailed duties which they perform may be enumerated the free distribution of vaccines and anti-toxins, the inspection of tenement houses to determine whether they are fit for human habitation, the better care and embalming of the dead, the inspection of water supplies to insure its purity, the proper disposition of garbage, filth and carcasses of dead animals, the enforcement of regulations relative to the ventilation of schoolhouses and factories

<sup>1</sup> the sale of impure food and drugs.

*Public Service Commission.*—The state public service

commission has general control of all public utilities which include steam, interurban and street railroads, waterworks, gas works, telegraph and telephone systems. Their duties are, upon complaint, to fix maximum rates which these public utilities may charge for their services; to prescribe the kind and quality of service which must be supplied; to require the installation of health and safety devices; to investigate accidents; to hear complaints made by patrons; to approve franchises; and to authorize the issuance of stocks and bonds. In several of the states the commission is called the railroad commission.

*Fire Marshal.*—Several of the states have created the office of fire marshal whose duty it is to reduce the fire losses of the state. This is done by the issuance of rules and regulations providing for the proper disposition of combustible material, the storing of inflammable substances, such as gasoline and explosives, and the condemnation and destruction of buildings in which fires might originate and spread to other buildings. One of his chief functions is to spread information on the prevention of fires.

*Superintendent of Insurance.*—The duty of the superintendent of insurance is to supervise and regulate insurance companies. In some states this function is discharged by a separate board and in others it is entrusted to some other state officer, such as the auditor or comptroller. While these supervisory functions are not uniform in the different states they include in general the power to determine whether insurance companies are properly organized and managed. They also have power over the filing of reports, the investment of assets, the licensing of agents and in a few states the regulation of fire insurance rates.

*Banking Department.*—The duty of examining state banks is entrusted in some states to a special board and in others to some state officer, such as the bank superintendent, auditor or comptroller. Inspectors of the banking department examine all state banks frequently to determine whether they are in a safe and solvent condition. Regular and special reports are required to be made to the banking department.

*Tax Commissioners.*—There are permanent tax commissions in thirteen states and a permanent tax commissioner in six states. The commissioner or commissioners are appointed by the governor in all states except North Carolina, where the office is elective. The duties of these officers are to assess property, which extends into more than one county, such as railroads, telegraph and telephone lines, and express and sleeping car service; they equalize assessments between different localities of the state; instruct local assessors in the performance of their duties; and prescribe uniform methods in imposing and recording assessments. In a considerable number of states, special or temporary tax commissions have been created to investigate the tax question, determine the defects in existing laws and recommend desirable changes.

*Board of Pardons.*—The constitutions of a considerable number of the states provide for the creation of a board of pardon. It is the duty of this board to consider all applications made by convicts who are serving a sentence in any of the penal or reformatory institutions of the state, asking to be discharged before they have served the full term for which they were sentenced. The governor usually accepts the recommendations of the board and acts accordingly in extending clemency to prisoners who have manifested a genuine desire to reform.

*Board of Charities and Corrections.*—It is the duty of the state board of charities and corrections to visit, inspect, supervise and report upon all benevolent, reformatory and charitable institutions administered by the state or by any county, municipality or private organization therein, and to care for and oversee dependent and delinquent children. In a number of states the duty of managing all the institutions is in the hands of the state board.

*Highway Commissioner.*—To promote the good roads movement the office of highway commissioner has been created in several of the states. The duties of the commissioner are to map out important trunk line roads; to determine the amount of traffic over roads in various parts

of the state; to prescribe material for and the proper scientific methods of road construction; to conduct experiments in road making; to pass upon road plans; to administer the state road fund; and to cooperate with local officials in the solution of the highway problem.

*Conservation Commission.*—A few of the states have created conservation commissions whose duty it is to promote the conservation of the natural resources of the state, including minerals, forests, water power, wild game, the soil and other resources which are irreplaceable.

*Board of Irrigation and Drainage.*—Most of the western states, having extensive areas of arid lands, have created irrigation commissions whose duty it is to provide for the reclamation of these lands by the construction of irrigation works, and to cooperate with the Reclamation Service of the federal government. In some of the central and southern states, having large tracts of swamp lands, drainage commissions have been created to supervise extensive drainage projects and to provide for the coordination of closely related local projects.

*Fish and Game Commission.*—Fish and game commissions exist in practically every state in the Union. The functions of these commissions are to propagate and distribute food and game fishes; to enforce the laws enacted for the protection and preservation of fish and game; to license hunters and fishermen; to collect and disburse the revenue derived from these sources; and to manage fish hatcheries. Some of the tide-water states have separate commissions to supervise inland and shore fisheries, including oyster beds. In all cases the members of these commissions are appointed by the governor.

*Workmen's Compensation Commissions.*—In a considerable number of states compensation commissions have been created to administer the workmen's compensation laws which have been enacted during the last few years, and to arbitrate industrial controversies which arise between capital and labor.

*Labor Bureaus.*—Bureaus of labor and labor statistics

exist in forty-one states. They usually preceded the creation of workmen's compensation commissions and in many cases have been absorbed by the latter. They were created to collect accurate information as a basis for legislation regulating the relation of employers and employees, in order to better the conditions of labor and furnish published statistics for the use of labor organizations, employers of labor, statesmen and social workers.

*State Board of Agriculture.*—There are departments of agriculture in more than thirty states, but the duties which they are called upon to discharge are not uniform. In general these departments oversee the agricultural work of the state and enforce the laws pertaining to agriculture, and have general supervision of the state fair. In some of the states, the commission also has charge of commerce, industries, mining, immigration and labor.

*Printing Board.*—The amount of supplies which a state consumes in the course of a year and the quantity of printing and binding which must be done are very extensive and involve the expenditure of thousands of dollars. Practically all of the states have provided for the creation of a state board of printing and binding, which has general supervision of the purchase and distribution of supplies and the printing of the annual or biennial reports issued by the state officers. In addition, the board usually has general oversight of the printing of legislative bills, the session laws of the general assembly, the preparation of the ballots used at state and national elections, and binding of newspapers and other documents which are received and preserved for historical purposes in the archives of the state library. Contracts for printing, binding and supplies are usually let to the lowest responsible competitive bidder. The person obtaining such a contract is usually known as the state printer and does all printing for the state for the period of time specified in his contract. In some states the state has its own printing plant, and in others prison labor is employed in doing some of the state printing.

*Examining Boards.*—It is to the interest of the state that



those of its citizens who practise the profession should be capable of rendering efficient and intelligent services. For the purpose of ascertaining the fitness of persons desiring to enter the professions and to exclude those who are incompetent, examining boards have been created to examine and license physicians, dentists, embalmers, nurses, lawyers, pharmacists and veterinary surgeons. These duties are usually performed by special boards. These boards are usually appointed by the governor; they are composed of practitioners of known ability and high standing in their professions; and they hold one or more examinations each year. These boards also have the authority to revoke licenses for immorality, negligence or malpractice. Several states have a board of mines to examine miners, mine foremen, shot-firers and fire-bosses.

*State Board of Accounts.*—In a few states the state board of accounts supervises the financial accounts of all state officers and of all the officers of counties, townships and cities. The purpose of state supervision is to see that all public money is properly expended and to prevent embezzlement or graft on the part of public officials. In order to make the examination of accounts easier, the state board has authority to prescribe uniform books and methods of keeping accounts. If a public official is not sure that a contemplated expenditure of public money is in strict conformity with law, he may obtain an opinion of the state board.

*Board of Education.*—Several of the states maintain a state board of education, which has general charge of the educational work of the state, and usually cooperates with the state superintendent of public instruction in carrying out its plans. The members of these state boards are usually men of acknowledged educational standing, and frequently are actively engaged in school work and serve without pay. In some states they formulate the educational policy of the state, determine what subjects shall be included in the common and high-school curriculum, prescribe the character of vocational education, provide for the classification

and certification of high schools, and perform other similar duties.

*Entomologist.*—The state entomologist is authorized to enforce the laws which are intended to eradicate insects which are injurious to fruit trees and plants, such as the San Jose scale and destructive moths. He is empowered to inspect all nursery stock to prevent the spread of plant diseases and to destroy orchards which are found to be so badly infected as to be beyond hope of recovery and likely to spread disease to other trees.

*State Library and Public Library Commission.*—In most of the states there is a state library or a public library commission and in some states there are both. The state library is usually the depository for state documents and historical records. In some states it is a reference library where local libraries or citizens may borrow books or refer questions for answer. The public library commission is organized to aid local communities in the establishment of libraries. It usually has charge of the traveling libraries which any community may borrow from them.

## OUTLINE OF THE USUAL DUTIES OF COUNTY OFFICERS IN THE DIFFERENT STATES

*The County.*—The county is the most common of the local governmental areas in the United States. There are about 3,000 counties in the United States; Texas has 243, Rhode Island 5, and Delaware 3; the average number of counties per state is from 60 to 100. The usual area of a county is from 400 to 650 square miles and the average population from 10,000 to 30,000. Each county has a form of local government, which is practically the same throughout the United States, and a group of county officers who are entrusted by law with the performance of certain duties. The importance of the county as a unit of local government varies in different parts of the United States. In New England, with its town meeting, it is of least importance; in the South, where the township is practically non-existent, the county is of very great importance; while in the west the duties of local government are about equally divided between the county and township.

*County Board.*—There is a county board in every state except Rhode Island and Georgia; this board is usually composed of three or five members, elected by the people. Sometimes these boards are composed of from fifteen to fifty members called supervisors, elected by the cities or townships of the county. The county board exercises rather extensive powers. It levies the county tax, makes all appropriations, buys county supplies, oversees the jails and poor farms, constructs bridges, opens new roads, appoints the non-elective county officers, oversees county asylums and hospitals, authorizes drainage and reclamation works, sometimes grants liquor licenses, lays out townships and election precincts, selects county depositories for the safe-keeping of the public funds, and constructs county buildings.

*Sheriff.*—The office of sheriff is provided for in every state, and is elective in all states except Rhode Island. It is the oldest county office, but has been deprived of much of its former importance. The duties of the sheriff are to preserve peace, to quell riots, to arrest fugitives and criminals, to serve papers on persons who have violated the law and to take immediate charge of persons who have been arrested and are confined in the county jail awaiting trial.

*Auditor.*—A county auditor is provided for in twenty-seven states and the office is elective in twelve states. The auditor is the county bookkeeper; he keeps accounts of all receipts and expenditures of county money, prepares the books in which county taxes are recorded, issues his warrant on the treasurer for the expenditure of county money, and acts in many cases as the clerk of the county board and the board which equalizes the assessments for taxes.

*Treasurer.*—The office of county treasurer exists in all states except two; in five states the office is appointive; in all others it is elective. The county treasurer collects and pays out all county money, and in some cases acts as a member of the county board which equalizes the assessments for taxes.

*Clerk of the Court.*—A clerk of the court or county clerk is provided for in practically every state and the office is almost invariably elective. The duties of the clerk are to keep the court record; to summon jurors and subpoena witnesses for court trials; to issue the first papers to persons desiring to become naturalized citizens; to prepare election ballots; to receive, count and certify election returns; and to issue marriage, hunting and fishing licenses.

*Registrar of Deeds.*—Every state must provide some method of recording deeds which establish title to land. In about half the states this work is done by an elective officer known as the registrar or recorder of deeds. In other states the work is done by some other county officer. The registrar records deeds and mortgages in a book kept for



that purpose, and every person whose land is so recorded is sure that he can not be lawfully deprived of it.

*Surveyor.*—The office of surveyor is provided for in thirty-eight states; in three states the office is appointive and elective in the others. The duties of the surveyor are to determine and mark the lines which separate the lands of adjoining owners, to set corner-stones, and to perform the engineering work on highways and ditches.

*Coroner.*—The county coroner holds official inquests in case of the sudden death of any person in the county, to determine the cause of the death and whether any other person is guilty of murder or violence.

*Superintendent of Schools.*—There is a county superintendent of schools in all except the New England states. The office is appointive in twelve states and elective in twenty-eight. County superintendents exercise general control of the schools of the county; they examine and license teachers and conduct institutes and associations for the benefit of teachers.

*Health Officer.*—There is a county health officer in eighteen states, who in all cases is appointed. The county health officer has authority to quarantine persons who are afflicted with contagious diseases; to take measures necessary to suppress epidemics; to order insanitary restaurants and boarding houses to be cleaned; and in some cases to fumigate rooms or houses in which persons have been ill with contagious diseases.

*Superintendent of the Poor.*—Provision has been made in every state for a superintendent or overseer of the poor; in some states there is a county officer and in other states a township officer. The superintendent or overseer of the poor supplies the poor and needy people of the county with food, clothing, fuel, school-books and other supplies which they may require.

*Prosecuting Attorney.*—With but few exceptions, the prosecuting attorney, district or state attorney, in all states is elected. It is his duty to prosecute all violators of the law on behalf of the state. He also conducts preliminary



investigations which are made by the grand jury and gives them such other assistance as they may require.

*Board of Equalization.*—Several states provide for county boards of equalization to adjust the assessments of property for purposes of taxation. This is to prevent one township or one taxpayer from paying on an assessment higher than another.

*County Assessor.*—There is a county assessor in twenty-five states, elected in all cases by the people. It is the usual duty of the county assessor to locate property which has not been given in for taxation by the owners and enter it on the tax books; to equalize assessments of property between the several townships of his county; to instruct and cooperate with township assessors in securing a just valuation of property for taxation and to serve as a member of the county board which equalizes the assessments for taxation.

## OUTLINE OF THE USUAL DUTIES OF TOWNSHIP OFFICERS IN THE DIFFERENT STATES

*Towns or Townships.*—The town or township is the smallest unit of local government. It originated in the New England states, where the name town has always been applied. In the western states the term township has invariably been used. Strictly speaking, the township does not exist in the southern states.

*Town Meeting.*—In New England, annual meetings of all the electors living within a town or township are held to select officers and to pass local ordinances or by-laws. The local ordinances enacted at these town meetings cover a wide range of subjects, including the levy of the town tax, appropriations, borrowing money, granting liquor licenses, and the adoption of measures relative to roads, cemeteries, waterworks, the town hall and the town library.

*Selectmen and Trustees.*—In the New England states, the chief officers of the town are the selectmen, from three to nine in number, chosen at the annual town meeting for terms of one or three years. The duties of the selectmen are to call town meetings, to oversee town property, to establish highways and drains, to grant licenses and to oversee elections. Occasionally, they serve as a board of health, as assessors, as overseers of the poor and appoint subordinate town officers. Elsewhere, throughout the United States and particularly in the central and western states the chief township officer is the trustee or board of trustees. The duties of these officers vary, but in general they include the general oversight of township property, repairing of highways, furnishing school supplies, hiring teachers, constructing bridges, assisting the poor and controlling the elections.

*Town Clerk.*—The town or township clerk performs a

variety of purely clerical duties; he ranks next in importance to the selectmen or trustees and is usually elective. His duties are to call the town meetings; to preserve the township records; to issue marriage, pedler and auctioneer licenses; to register cattle brands; to approve liquor licenses and to take the township census. When no such office exists, these duties are performed by the trustees.

*Constable.*—Constables are the peace officers of towns, townships, counties, precincts or parishes; and under direction of the county or circuit court or the justice of the peace, they serve warrants and make arrests. In some states, they perform the duties of assessors or collectors of taxes. In New England, constables are chosen at the town meetings, in other states they are chosen at the general election.

*Commissioner or Supervisor of Highways.*—Highway supervisors, commissioners or path-masters have charge of the construction and repair of township roads; the office is sometimes elective and sometimes appointive. Townships are usually divided into two or more road districts and one supervisor is assigned to the management of each district.

*Assessor.*—It is the duty of the township assessor, where such an office exists, to value and list all taxable property and polls within his township and return the list to the officer whose duty it is to enter these lists on the tax books and prepare them for collection.

*Justice of the Peace.*—Justices of the peace are minor judicial officers who are authorized to prevent breaches of the peace and who possess power to try and sentence persons for the commission of petty misdemeanors and to commit for trial before a higher court those accused of more serious offenses. In seven states justices of the peace are appointed; in all other states elective. Each township has one or more justices; terms of office are short, but reelection or reappointment is the rule.

## DECLARATION OF INDEPENDENCE

(In Congress, July 4, 1776)

### THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA.

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, that whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off

such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To provide this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasion on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States, for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by re-



fusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harness our People, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislature.

He has affected to render the Military independence of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For quartering large bodies of armed troops among us.

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States.

For cutting off our Trade with all parts of the world.

For imposing Taxes on us without our Consent.

For depriving us in many cases, of the benefits of Trial by Jury.

For transporting us beyond Seas to be tried for pretended offenses.

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies.

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments.

For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the Lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty and perfidy scarcely parallel in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

Nor have We been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to,

the Supreme Judge of the world for the rectitude of our intentions, do, in the Name and Authority of the good People of these Colonies, solemnly publish and declare, That these United States Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

# CONSTITUTION OF THE UNITED STATES

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1787

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## PREAMBLE

We, the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this CONSTITUTION FOR THE UNITED STATES OF AMERICA.

## ARTICLE I

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SEC. 2. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free per-

sons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand; but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

SEC. 3. The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

Amendment adopted 1913.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year. When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue



writs of election to fill such vacancies: *Provided*, That the Legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct.

This amendment shall not be so construed as to effect the election or term of any Senator chosen before it becomes valid as part of the constitution.

Amendment adopted 1913.

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

SEC. 4. The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every year,

and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SEC. 5. Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each House may provide.

Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SEC. 6. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either House during his continuance in office.

SEC. 7. All bills for raising revenues shall originate in

the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SEC. 8. The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;



To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies, throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post-offices and post-roads;

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulations of the land and naval forces;

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

To provide for organizing, arming and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, maga-

zines, arsenals, dock-yards, and other needful buildings;

And to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

SEC. 9. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or *ex post facto* law shall be passed.

No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any State.

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another: nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign State.

SEC. 10. No State shall enter into any treaty, alliance or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any



bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws: and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress. No State shall, without the censure of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## ARTICLE II

SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected, as follows:

Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural-born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the President from office, or of

his death, resignation or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive, within that period, any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

SEC. 2. The President shall be Commander-in-Chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior



officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SEC. 3. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SEC. 4. The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

### ARTICLE III

SECTION 1. The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

SEC. 2. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;—to all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to

which the United States shall be a party;—to controversies between two or more States;—between a State and citizens of another State;—between citizens of different States; between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SEC. 3. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

#### ARTICLE IV

SECTION 1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SEC. 2. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

A person charged in any State with treason, felony, or

other crime, who shall flee from justice, and be found in another State, shall on demand of the executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime.

No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered upon claim of the party to whom such service or labor may be due.

SEC. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

SEC. 4. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the Legislature, or of the Executive (when the Legislature can not be convened), against domestic violence.

## ARTICLE V

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: *Provided*, That no amendment which may



be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

#### ARTICLE VI

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

#### ARTICLE VII

The ratification of the conventions of nine States, shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

## ARTICLES IN AMENDMENTS OF THE CONSTITUTION

### ARTICLE I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

The first ten amendments were adopted in 1790 in fulfilment of a demand for a bill of rights. They apply to the national government and limit its powers but do not restrict the power of the States with respect to its people.

### ARTICLE II

A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

### ARTICLE III

No soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

### ARTICLE IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

## ARTICLE V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

## ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

## ARTICLE VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

## ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

## ARTICLE IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

## ARTICLE X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States, respectively, or to the people.

## ARTICLE XI

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

This amendment was adopted in 1792.

## ARTICLE XII

The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons



having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, than from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

This amendment was adopted in 1803.

### ARTICLE XIII

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SEC. 2. *Power to enforce prohibition.* Congress shall have power to enforce this article by appropriate legislation.

The thirteenth, fourteenth and fifteenth amendments were the result of the Civil War. They were intended to free and protect the slaves.

## ARTICLE XIV

SECTION 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SEC. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each house, remove such disability.

SEC. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for pay-

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## WHERE TO WRITE FOR FURTHER INFORMATION

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### ORGANIZATIONS

- American Association for Labor Legislation, 131 East  
23d St., New York City.  
The American City, 93 Nassau St., New York City.  
American Civic Association, 913 Union Trust Building,  
Washington, D. C.  
American Federation of Labor, 801-809 G Street, N. W.,  
Washington, D. C.  
American Highway Association, Colorado Building,  
Washington, D. C.  
American Home Economics Association, Station N.,  
Baltimore, Md.  
American Medical Association, 535 N. Dearborn St.,  
Chicago, Ill.  
American National Red Cross, 1624 H St., Washington,  
D. C.  
American Peace Society, 31 Beacon St., Boston, Mass.  
American Prison Association, Secretary Commissioner  
of Charities and Corrections, Trenton, N. J.  
American Public Health Association, 755 Boylston St.,  
Boston, Mass.  
National American Woman Suffrage Association, 505  
Fifth Ave., New York City.  
National Association of Manufacturers, 30 Church St.,  
New York City.  
National Association, Opposed to Woman Suffrage, 37 W.  
39th St., New York City.  
National Civil Service Reform League, 79 Wall St., New  
York City.



- National Conference of Charities and Corrections, 315  
Plymouth Court, Chicago, Ill.
- National Conference on City Planning, 19 Congress St.,  
Boston, Mass.
- National Conservation Congress, Riggs Building, Wash-  
ington, D. C.
- National Education Association, D. W. Springer, Secy.,  
Ann Arbor, Mich.
- National Housing Association, 105 East 22d St., New York  
City.
- National Municipal League, North American Building,  
Philadelphia, Pa.
- National Security League, 31 Pine St., New York City.
- National Short Ballot Organization, 383 Fourth Ave.,  
New York City.
- National Society for the Promotion of Industrial Edu-  
cation, 140 West 42d St., New York City.
- National Tax Association, 15 Dey St., New York City.
- Pan-American Union, Washington, D. C.
- Playgrounds Association of America, 1 Madison Ave.,  
New York City.
- Proportional Representation League, Secretary, Haver-  
ford, Pa.
- Russell Sage Foundation, 105 East 22d St., New York  
City.
- Single Tax Association, 150 Nassau St., New York City.

## PUBLIC OFFICERS

- U. S. Officers, Departments, Bureaus and Commissions,  
Washington, D. C.
- State Officers, Boards and Commissions, State Capital.
- County Officers, County Seat.

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